

Rico Medina, Mayor Linda Mason, Vice Mayor Tom Hamilton, Councilmember Marty Medina, Councilmember Michael Salazar, Councilmember

On September 16, 2021, the Governor of California signed AB361 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Purusant to the CDC's social distancing guidelines which discourage large public gatherings, the San Bruno City Council meetings are being conducted electronically. The meeting is not available for inperson attendance. Members of the public may attend the meeting by video or phone linked in this agenda or watch by livestream at www.youtube.com/user/cityofsanbruno. CityNet Services Channel 1 will air the meeting live and the recorded meeting will be made available for viewing on the City's YouTube channel after the meeting has concluded.

If you would like to make a Public Comment on an item not on the agenda, or comment on a particular agenda item, please email cityclerk@sanbruno.ca.gov. Emails received before the special or regular meeting start time will be forwarded to the City Council, posted on the City's website and will become part of the public record for that meeting. If emailed comments are received after the meeting start time, or after the meeting ends, they will be forwarded to the City Council and filed with the agenda packet becoming part of the public record for that meeting. Emails received will not be read aloud during the meeting.

Individuals who require special assistance of a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, agenda packet or other writings that may be distributed at the meeting, should contact the City Clerk 48 hours prior to the meeting at (650) 619-7070 or by email at cityclerk@sanbruno.ca.gov. Notification in advance of the meeting will enable the City of San Bruno to make reasonable arrangements to ensure accessibility to this meeting, the materials related to it, and your ability to comment.

AGENDA SAN BRUNO CITY COUNCIL April 12, 2022 7:00 PM

Zoom Meeting Details

https://sanbruno-ca-gov.zoom.us/j/84306068437?pwd=YTZJMzVNdVdmdU9SWGJTTXZvUGqxZz09

Webinar or Meeting ID: 843 0606 8437 (audio only)

Participant ID: #

Webinar or Meeting Password: 300882

Zoom Phone Line: 1-669-900-9128 (same webinar ID and password as above)

City Council meetings are conducted in accordance with Roberts Rules of Order. All regular Council meetings are recorded and televised on CityNet Services Channel 1 and replayed the following Thursday, at 2:00 pm.

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE
- 4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Individuals allowed three minutes. It is the Council's policy to refer matters raised in this forum to staff for

investigation and/or action where appropriate. The Brown Act prohibits the Council from discussing or acting upon any matter not agendized pursuant to State Law.

5. ANNOUNCEMENTS/PRESENTATIONS

- a. San Bruno is happy to partner with Recology San Bruno again for the Spring 2022 Community Clean Up Event (Drop Off) at 975 Sneath Lane. The drop off event will be held on May 14 from 8:00 a.m. to 11:00 a.m. at 975 Sneath Lane, and is a self-serve drop off, where residents will be required to unload their vehicles. Residents limited to 3 cubic yards per vehicle, and can include bulky items, e-waste, appliances, bags of garbage. Dirt, rock and concrete will not be accepted. Visit sanbruno.ca.gov for more information.
- b. Please share your input as the City of San Bruno updates the current Housing Element! Your participation in the process is essential in helping understand and address housing needs in the San Bruno community please take the survey at sanbruno.ca.gov/HousingElementSurvey.
- c. Please share your input on the City of San Bruno Safe Routes to School Plan! Please take a few minutes to go online and learn more about the project and complete the survey by providing feedback on getting to and from school in San Bruno. Visit the project website at sanbruno.ca.gov/SafeRoutes.
- d. Issue Proclamation Announcing April 2022 as National Poetry Month.
- e. 2022 Update from the San Mateo County Mosquito and Vector Control District

6. **CONSENT CALENDAR**

All items are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion, unless requested.

- a. Approve Accounts Payable for March 21, March 28, and April 4, 2022.
- b. Accept Payroll for March 13 and March 27, 2022
- c. Approve Investment Report and Reconciliation of General Ledger to Bank Report dated February 28, 2022
- d. Approval the Draft Special and Regular Meeting Minutes for the Meetings of March 22 and March 29, 2022
- e. Adopt Resolution Authorizing the City Manager to Execute an Agreement with Badawi & Associates for Professional Auditing Services for Fiscal Years Ending June 30, 2022 through 2024 for an All Inclusive Fee of \$139,005
- f. Adopt Resolution Declaring the Continued State of Local Emergency and Need for the City Council and Other Legislative Bodies Subject to the Ralph M. Brown Act to Continue to Teleconference in Order to Ensure the Health and Safety of the Public Pursuant to AB 361

- g. Receive Written Update on the City's Response Efforts to COVID-19
- h. Adopt Resolution Related to the Emergency Replacement of the San Bruno Senior Center Chiller Unit: Ratifying the Emergency Replacement Declaration of the Chiller Unit at the San Bruno Senior Center Authorized by the City Manager on March 30, 2022; Waiving Competitive Bidding Requirements Pursuant to State Law and the San Bruno Municipal Code Due to the Existence of an Emergency; Authorizing the City Manager to Execute Necessary Contracts to Mitigate the Emergency and to Appropriate Such Funds from the Building and Facility Fund Balance
- i. Adopt Resolution Approving Agreement between the City of San Bruno and the Police Bargaining Unit and Authorizing Execution by the City Manager

7. CONDUCT OF BUSINESS

- a. Waive First Reading and Introduce an Ordinance Repealing Chapter 10.21 of the San Bruno Municipal Code and Adopting a new Chapter 10.21 Regulating the Use of Disposable Food Service Ware by Food Facilities
- b. Receive Report on 15 MPH Speed Limit Signs on School Zones
- Appointment of Two City Councilmembers to an Ad Hoc Subcommittee for Public Opinion Poll Research Related to Potential November 2022 Citysponsored Ballot Measures

8. **PUBLIC HEARING(S)**

a. Hold Public Hearing and Adopt Resolution Adjusting the Master Fee Schedule to be effective on July 1, 2022

9. COMMENTS FROM COUNCIL MEMBERS

10. **ADJOURNMENT –** The next Regular City Council Meeting will be held on April 26 2022 at 7:00 PM.



CITY OF SAN BRUNO

DATE:

March 21, 2022

TO:

Honorable Mayor and Members of the City Council

FROM:

Jovan D. Grogan, City Manager

PREPARED BY:

Qianyu Sun, Finance Director

Kathleen O'Malley, Accounting & Customer Service Representative

SUBJECT:

Accounts Payable Warrant Register

This is to certify that the claims listed on pages 1 to 2 inclusive, and/or claims numbered from 196892 through 196971 inclusive, totaling \$318,000.81 have been checked in detail and approved by the proper officials, and in my opinion, represent fair and just charges against the City in accordance with their respective amounts. The table below summarizes the total paid by Fund.

Fund	Fund Name	Amount
001	General Fund	\$115,886.09
006	American Rescue Plan Act	\$44,128.88
111	Police Asset Forfeiture	\$740.00
132	Agency On Aging	\$9,681.96
133	Restricted Revenues	\$250.00
137	Developer Project Contributions	\$17,335.00
201	Parks and Facilities Capital	\$86.63
611	Water Fund	3,277.25
621	Stormwater Fund	840.84
631	Wastewater Fund	3,566.75
707	Technology Development	42,442.54
711	Self-Insurance	79,764.87
TOTAL FOR APPROVAL		\$318,000.81

Respectfully submitted,

Finance Director

03/22/2022

Date

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Vendor Cod	e & Name	Check #	Check Date	Amount
0106435	ACTION TOWING & ROAD SVC. INC.	196892	3/21/2022	275.00
0000163	AIRPORT AUTO PARTS INC.	196893	3/21/2022	96.00
0017459	ALL CITY MANAGEMENT SVC.INC.	196894	3/21/2022	926.52
0000372	ALLIED SECURITY ALARMS	196895	3/21/2022	228.00
0016123	AT&T	196896	3/21/2022	404.00
0108691	BEAR CLOUD TECHNOLOGIES, INC.	196897	3/21/2022	3,983.87
0105553	BELLECCI & ASSOCIATES, INC.	196898	3/21/2022	6,769.00
0109661	BIRITE FOODSERVICE DISTRIBUTORS	196926	3/21/2022	4,328.41
0015988	BLACKSTONE PUBLISHING	196900	3/21/2022	7.95
0109185	BOUCHER LAW	196901	3/21/2022	6,662.50
0000378	BROADMOOR LANDSCAPE SUPPLY	196902	3/21/2022	1,046.02
0105324	CAINE COMPUTER CONSULTING, LLC	196903	3/21/2022	2,340.00
0093725	CALTRANS	196904	3/21/2022	840.84
0109364	CARAHSOFT TECHNOLOGY CORP.	196905	3/21/2022	6,210.00
0017679	CDW GOVERNMENT, INC	196906	3/21/2022	511.60
0017843	CENTRAL COUNTY FIRE DEPT.	196907	3/21/2022	545.45
0016324	CINTAS CORPORATION #464	196909	3/21/2022	41.08
0109534	CODE FOR FUN	196911	3/21/2022	135.20
0015857	COUNTY OF SAN MATEO	196912	3/21/2022	82.25
0106125	COURTESY TOW	196913	3/21/2022	1,095.00
0002012	CPS HR CONSULTING	196914	3/21/2022	350.00
0106503	CRASH DATA GROUP, INC.	196915	3/21/2022	1,250.00
0110142	CREATIVE SERVICES	196916	3/21/2022	250.00
0105894	CRIME SCENE CLEANERS, INC.	196917	3/21/2022	750.00
0093479	DEPARTMENT OF JUSTICE	196918	3/21/2022	1,126.00
0018123	DEVELOPMENT DIMENSIONS INTERNATIONAL, INC.	196919	3/21/2022	2,560.00
0110166	DONNA FONG	196925	3/21/2022	150.00
0107927	ELIZABETH RUIZ	196948	3/21/2022	925.00
0000046	EWING IRRIGATION PRODUCTS INC	196921	3/21/2022	1,951.80
0110072	FIRST REPUBLIC BANK	196923	3/21/2022	65,344.36
0001782	FLOWERS ELECTRIC & SVC.CO.INC.	196924	3/21/2022	613.14
0107011	FRANK J. BIANCHI	196899	3/21/2022	273.00
0109776	FRESH LINE PRODUCE	196927	3/21/2022	1,284.50
0000162	GRAINGER	196928	3/21/2022	1,924.00
0095966	GREAT AMERICA FINANCIAL SVC.	196929	3/21/2022	1,995.77
0109704	HENRY JOVES	196932	3/21/2022	87.90
0096344	HUNT & SONS, INC.	196931	3/21/2022	478.37
0108549	JEANETTE M FEINBERG	196922	3/21/2022	274.50
0097746	JOE VALIENTE	196969	3/21/2022	110.75
0000771	JT2 INTEGRATED RESOURCES	196933	3/21/2022	73,233.87
0018376	JT2 INTEGRATED RESOURCES	196934	3/21/2022	6,531.00
0096379	KAREN OJAKIAN	196943	3/21/2022	99.68
0017661	KATHY M SCHMIDT	196951	3/21/2022	801.90
0000317	L.N. CURTIS & SONS	196935	3/21/2022	491.14
0103799	LDVALILLC	196937	3/21/2022	280.80
0106692	LETICIA SOTO	196958	3/21/2022	407.00
0104424	LIDIA'S ITALIAN DELICACIES	196938	3/21/2022	2,720.00
0018177	LOWE'S	196940	3/21/2022	51.13
0001709	MILLBRAE LOCK	196941	3/21/2022	19.63
0102708	MOTION PICTURE LICENSING CORP.	196942	3/21/2022	696.53
0097567	ONE HOUR DRY CLEANING	196944	3/21/2022	115.40
0099307	PENINSULA SEAFOOD OF SAN BRUNO	196945	3/21/2022	594.70
0015163	PENINSULA SPORTS OFFICIALS ASSOCINC.	196959	3/21/2022	234.00
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Total count:

Vendor Cod	e & Name	Check #	Check Date	Amount
0106397	ROBERT HARRISON	196930	3/21/2022	929.41
0000022	ROBERT LOUIE	196939	3/21/2022	380.25
0018070	RON LAVEZZO	196936	3/21/2022	160.00
0108539	ROSALIE L. STEINWAY	196961	3/21/2022	90.00
0017432	SAN MATEO COUNTY PUBLIC SAFETY COMMUNICA	196946	3/21/2022	2,626.00
0099047	SAN MATEO CTY SHERIFF'S OFFICE	196949	3/21/2022	4,492.80
0017145	SAN MATEO LAWN MOWER SHOP	196950	3/21/2022	277.04
0108537	SCOTT TONG	196967	3/21/2022	67.50
0109773	SECURITY 101	196952	3/21/2022	114.25
0110128	SEHI COMPUTER PRODUCTS INC.	196953	3/21/2022	58.25
0103732	SFO MEDICAL CLINIC	196954	3/21/2022	2,327.00
0018778	SHANNON ROHATCH	196947	3/21/2022	740.00
0097626	SHARP ELECTRONICS CORP.	196955	3/21/2022	425.78
0110024	SHAW HR CONSULTING, INC.	196956	3/21/2022	1,507.50
0001225	SIERRA PACIFIC TURF SUPPLY,INC	196957	3/21/2022	728.70
0000102	SONITROL/PACIFIC WEST SECURITY, INC.	196971	3/21/2022	245.00
0097079	SPRINT	196960	3/21/2022	38.18
0105796	SUNRISE FOOD DISTRIBUTOR INC.	196962	3/21/2022	754.35
0107060	SUPERION, LLC	196963	3/21/2022	28,692.01
0002025	TELECOMMUNICATIONS ENGINEERING ASSOCIATE	196920	3/21/2022	3,342.00
0018088	THE UPS STORE #810	196964	3/21/2022	192.38
0018898	TJKM TRANSPORTATION CONSULTANT	196965	3/21/2022	5,060.00
0000831	TONER CARTRIDGE&INKJET EXPRESS	196966	3/21/2022	1,141.83
0109746	TWINING, INC.	196968	3/21/2022	86.63
0106008	TYLER CHARLES	196908	3/21/2022	43.84
0109186	VITAL RECORDS CONTROL	196970	3/21/2022	81.44
0105955	WEST COAST CODE CONSULTANTS, INC.	196910	3/21/2022	58,894.11
			GrandTotal:	318,000.81

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CITY OF SAN BRUNO

DATE:

March 28, 2022

TO:

Honorable Mayor and Members of the City Council

FROM:

Jovan D. Grogan, City Manager

PREPARED BY:

Qianyu Sun, Finance Director

Kathleen O'Malley, Accounting & Customer Service Representative

SUBJECT:

Accounts Payable Warrant Register

This is to certify that the claims listed on pages 1 to 3 inclusive, and/or claims numbered from 196972 through 197119 inclusive, totaling \$3,954,346.34 have been checked in detail and approved by the proper officials, and in my opinion, represent fair and just charges against the City in accordance with their respective amounts. The table below summarizes the total paid by Fund.

Fund	Fund Name	Amount
001	General Fund	\$217,560.52
006	American Rescue Plan Act	\$36,343.40
101	Gas Tax	\$2,711.40
111	Police Asset Forfeiture	\$786.50
122	Solid Waste/Recycle	\$222.24
131	In-Lieu Fees	\$3,173,625.00
132	Agency On Aging	\$8,186.98
133	Restricted Revenues	\$1,407.81
137	Developer Project Contributions	\$34,827.50
201	Parks and Facilities Capital	\$3,258.36
203	Street Improvement Projects	\$16,483.47
611	Water Fund	32,973.08
621	Stormwater Fund	516.21
631	Wastewater Fund	156,828.92
641	CityNet Services Fund	223,228.60
701	Central Garage	13,179.32
702	Facility Maintenance Fund	31,427.07
707	Technology Development	779.96
TOTAL F	OR APPROVAL	\$3,954,346.34

Respectfully submitted,

Finance Director

03/29/2022

Date

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Vendor Code	e & Name	Check #	Check Date	Amount
0017188	3T EQUIPMENT COMPANY INC.	196972	3/28/2022	329.27
0104680	ACCESS 24 COMMUNICATIONS INC.	196973	3/28/2022	448.45
0000858	ADECCO EMPLOYMENT SERVICES	196974	3/28/2022	10,411.38
0001170	AIRGAS USA, LLC	196975	3/28/2022	273.76
0000163	AIRPORT AUTO PARTS INC.	196976	3/28/2022	564.67
0106427	AK & COMPANY	196977	3/28/2022	1,500.00
0017459	ALL CITY MANAGEMENT SVC.INC.	196978	3/28/2022	972.72
0000372	ALLIED SECURITY ALARMS	196979	3/28/2022	201.00
0018976	ALPHA ANALYTICAL LAB. INC.	196980	3/28/2022	1,310.00
0110078	ALTA PLANNING + DESIGN, INC.	196981	3/28/2022	16,396.75
0102355	AMAZON	196982	3/28/2022	737.55
0018746	AMERICAN LIBRARY ASSOCIATION	196983	3/28/2022	500.00
0109134	ARI INVESTIGATIONS, INC.	196984	3/28/2022	500.00
0000843	ARRIS SOLUTIONS, INC.	196985	3/28/2022	49,025.41
0000118	ART'S PENINSULA LOCKSMITH	196986	3/28/2022	782.86
0016123	AT&T	196987	3/28/2022	442.27
0017191	AT&T	196988	3/28/2022	279.99
0018007	AT&T	196989	3/28/2022	37,778.62
0018363	AT&T LONG DISTANCE	196990	3/28/2022	32.88
0105649	ATLAS PLUMBING AND ROOTER, INC.	196991	3/28/2022	20,000.00
0000345	BAKER & TAYLOR BOOKS	196992	3/28/2022	1,771.30
0100526	BAY ALARM COMPANY	196993	3/28/2022	178.53
0017431	BAY AREA AIR QUALITY MANAGEMENT DISTRICT	197069	3/28/2022	798.00
0015628	BAY AREA TREE CO., INC.	196995	3/28/2022	3,250.00
0001849	BAY AREA WATER SUPPLY & CONSERVATION AGEN	197096	3/28/2022	2,280.00
0108691	BEAR CLOUD TECHNOLOGIES, INC.	196996	3/28/2022	10,250.00
0105553	BELLECCI & ASSOCIATES, INC.	196997	3/28/2022	12,392.00
0109646	BIO CAR CARE	196998	3/28/2022	575.00
0000378	BROADMOOR LANDSCAPE SUPPLY	196999	3/28/2022	373.58
0014739	CAL-STEAM	197000	3/28/2022	386.35
0093690	CAPUCHINO SPORTS BOOSTERS CLUB	197001	3/28/2022	400.00
0100470	CARROT-TOP INDUSTRIES, INC.	197002	3/28/2022	320.46
0018977	CBS TELEVISION STATIONS	197002	3/28/2022	12,082.34
0017206	CENTRAL CONCRETE SUPPLY CO.INC	197004	3/28/2022	833.03
0017284	CHEMSEARCHFE	197005	3/28/2022	428.51
0016324	CINTAS CORPORATION #464	197006	3/28/2022	820.16
0000386	CITY OF SOUTH SAN FRANCISCO	197007	3/28/2022	109,068.84
0109639	CLAREMONT BEHAVIORAL SVCS,INC.	197007	3/28/2022	· ·
0109039	COGENT COMMUNICATIONS, INC.		3/28/2022	753.75
010074	COMCAST SPORTSNET BAY AREA	197010 197011	3/28/2022	3,950.00
0104508	COMCAST SPORTSNET CALIFORNIA			19,905.60
0104506	CORA (COMMUNITY OVERCOMING RELATIONSHIP /	197012 197061	3/28/2022 3/28/2022	15,822.40
	CORE & MAIN LP			7,046.00
0109788		197014	3/28/2022	228.73
0109957	CORETECH LEASING, INC.	197015	3/28/2022	2,583.14
0015857	COUNTY OF SAN MATEO	197016	3/28/2022	82.25
0097934	CWEA-TCP	197017	3/28/2022	192.00
0102784	DAVID LANGSAM	197050	3/28/2022	15,945.00
0107953	DEPT. OF THE TREASURY- INTERNAL REVENUE SE	197046	3/28/2022	484.88
0109265	DESIGNOVATIONS, INC.	197018	3/28/2022	3,773.00
0101178	DISCOUNT PLUMBING	197019	3/28/2022	18,000.00
0110123	DUNNIGAN PSYCHOLOGICAL& THREAT ASSESSMEI	197102	3/28/2022	600.00
0105820	EAST BAY TIRE CO	197020	3/28/2022	120.00
0017300	ENVIRONMENTAL HEALTH FEE	197023	3/28/2022	1,465.00

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Vendor Cod	le & Name	Check #	Check Date	Amount
0094282	EXPRESS PLUMBING INC.	197024	3/28/2022	4,000.00
0102627	FASTRK VIOLATION PROCESSING DEPT.	197112	3/28/2022	12.00
0109510	FIRST ALARM	197026	3/28/2022	404.87
0018117	FLYERS ENERGY, LLC	197028	3/28/2022	35,921.97
0017720	FOX TELEVISION STATIONS, INC.	197030	3/28/2022	11,181.60
0109776	FRESH LINE PRODUCE	197031	3/28/2022	154.75
0110165	FUTURE VISION REMODELING	197032	3/28/2022	3,000.00
0107370	GAGE SCHLICE	197078	3/28/2022	1,269.00
0016363	GCS ENVIRONMENTAL & EQUIPMENT SVC.	197022	3/28/2022	1,394.39
0104135	GLOBAL TRACKING COMMUNICATIONS, INC.	197106	3/28/2022	24.99
0109595	GOGREEN ROOFING CORPORATION	197033	3/28/2022	799.63
0108425	GOOD CITY COMPANY	197034	3/28/2022	26,591.25
0000162	GRAINGER	197035	3/28/2022	4,254.55
0095966	GREAT AMERICA FINANCIAL SVC.	197036	3/28/2022	870.09
0016967	GROUP 4	197037	3/28/2022	3,120.00
0000385	HACH COMPANY	197038	3/28/2022	1,297.19
0109130	HAPPYFOX INC.	197040	3/28/2022	108.46
0109502	HAULAWAY STORAGE CONTAINERS, INC.	197095	3/28/2022	255.36
0099960	IN & OUT PLUMBING	197043	3/28/2022	4,000.00
0018838	INFOSEND, INC.	197044	3/28/2022	4,946.40
0109512	JIMENEDA BUILDERS	197047	3/28/2022	8,710.00
0110129	JOHNSON HANG	197039	3/28/2022	884.98
0000132	KELLY-MOORE PAINT CO INC.	197048	3/28/2022	111.59
0109500	LAMPO INVESTIGATIONS-POLYGRAPH	197049	3/28/2022	800.00
0104424	LIDIA'S ITALIAN DELICACIES	197051	3/28/2022	6,728.00
0018177	LOWE'S	197052	3/28/2022	2,500.96
0108432	LUPITA HUERTA	197042	3/28/2022	400.00
0110156	MARK INNES	197045	3/28/2022	86.72
0016041	METROMOBILE COMMUNICATIONS	197053	3/28/2022	195.00
0092285	MICROMARKETING LLC	197054	3/28/2022	54.19
0106788	MIKE SOSS	197091	3/28/2022	3,000.00
0098274	MITCHELL1	197055	3/28/2022	1,762.56
0000357	NATIONAL CABLE TV CO-OP, INC.	197056	3/28/2022	824.84
0109283	ODYSSEY POWER CORPORATION	197058	3/28/2022	3,775.00
0092263	OFFICE DEPOT INC	197059	3/28/2022	642.32
0097567	ONE HOUR DRY CLEANING	197060	3/28/2022	1,250.50
0104416	OVERDRIVE, INC.	197062	3/28/2022	1,765.23
0103933	OWEN EQUIPMENT SALES	197063	3/28/2022	186.92
0000012	PACIFIC GAS & ELECTRIC	197064	3/28/2022	17,665.32
0000101	PACIFIC NURSERIES	197065	3/28/2022	207.81
0107635	PANGEA ENVIRONMENTAL	197066	3/28/2022	1,042.00
0109463	PENINSULA REGISTRATION SVCS	197067	3/28/2022	613.00
0108589	PERFORMANCE FOODSERVICE-LEDYARD	197029	3/28/2022	1,304.23
0000285	PREFERRED ALLIANCE, INC.	197068	3/28/2022	649.80
0108301	R3 CONSULTING GROUP	197070	3/28/2022	8,827.50
0001363	RAINBOW WINDOW & GLASS	197071	3/28/2022	1,238.14
0018729	RANGER PIPELINES INC.	197072	3/28/2022	19,000.00
0107432	RED WING BRANDS OF AMERICA,INC	197073	3/28/2022	324.80
0103531	RICOH USA, INC.	197074	3/28/2022	325.92
0018839	RYAN JOHANSEN	197075	3/28/2022	786.50
0109166	SAFETY SMART GEAR	197076	3/28/2022	259.44
0097941	SAN BRUNO DEVELOPMENT LLC	197077	3/28/2022	3,173,625.00
0110125	SCHOFIELD IMAGES	197079	3/28/2022	1,150.00
0110159	SEAN FLANAGAN	197027	3/28/2022	5,000.00

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Vendor Cod	e & Name	Check #	Check Date	Amount
0109773	SECURITY 101	197080	3/28/2022	2,908.00
0018461	SERRAMONTE FORD, INC.	197081	3/28/2022	262.24
0097626	SHARP ELECTRONICS CORP.	197082	3/28/2022	335.90
0000216	SHOWTIME NETWORKS INC.	197083	3/28/2022	8,538.16
0109953	SHRED CITY	197084	3/28/2022	63.72
0018214	SIGILLO SUPPLY INC.	197085	3/28/2022	515.31
0108673	SIONE'S CONCRETE CONSTRUCTION	197087	3/28/2022	500.00
0108823	SIOPE FILIMOEHALA	197025	3/28/2022	100.00
0104548	SLOAN SAKAI YEUNG & WONG LLP	197088	3/28/2022	7,242.54
0105745	SMELLY MEL'S PLUMBING	197089	3/28/2022	1,900.00
0103492	SMITHSONIAN NETWORKS	197090	3/28/2022	864.36
0014233	STATE CONTROLLER'S OFFICE	197092	3/28/2022	2,711.40
0109977	STEVE BLANC INVESTIGATIONS	197093	3/28/2022	7,000.00
0017036	STEVEN'S BAY AREA DIESEL SERVICE, INC.	196994	3/28/2022	3,297.63
0000801	STEWART AUTOMOTIVE GROUP	197094	3/28/2022	79.67
0110157	SULBHA SINGH	197086	3/28/2022	338.00
0103064	TARGET SPECIALTY PRODUCTS	197097	3/28/2022	464.82
0096932	TASC	197098	3/28/2022	130.50
0015671	TECHNOLOGY, ENGINEERING & CONSTRUCTION, II	197013	3/28/2022	11,410.00
0002025	TELECOMMUNICATIONS ENGINEERING ASSOCIATE	197021	3/28/2022	85.00
0107098	TELSTAR INSTRUMENTS	197099	3/28/2022	1,983.27
0108402	THE HOME DEPOT PRO	197100	3/28/2022	3,244.12
0108402	THE HOME DEPOT PRO	197101	3/28/2022	97.92
0017527	TIFCO INDUSTRIES INC.	197103	3/28/2022	244.78
0110160	TIMOTHY AND LELYN HARVEY	197041	3/28/2022	4,650.00
0018898	TJKM TRANSPORTATION CONSULTANT	197104	3/28/2022	30,276.25
0097449	TK ELEVATOR CORPORATION	197105	3/28/2022	491.78
0001362	TV GUIDE MAGAZINE, LLC	197107	3/28/2022	55.68
0018618	UNITED SITE SERVICES INC.	197108	3/28/2022	206.83
0102744	UNIVERSAL BUILDING SERVICES	197109	3/28/2022	8,224.42
0098625	UPS	197110	3/28/2022	88.74
0109176	USA NORTH 811 FBO DIG SAFE BOARD	197057	3/28/2022	1,008.94
0095749	VERIZON WIRELESS	197111	3/28/2022	587.37
0104233	WAVE	197113	3/28/2022	19,450.00
0105955	WEST COAST CODE CONSULTANTS, INC.	197009	3/28/2022	51,392.95
0104660	WEST YOST ASSOCIATES, INC.	197114	3/28/2022	1,016.00
0096399	WILLIAM PAUL WHITE	197115	3/28/2022	1,200.00
0096893	WILSEY HAM	197116	3/28/2022	5,361.25
0018034	WIZARD PLUMBING AND DRAIN, INC	197117	3/28/2022	3,000.00
0109476	WORLDPAC INC	197118	3/28/2022	1,095.97
0104033	ZCORUM, INC.	197119	3/28/2022	12,970.62
010-1000	2001(0)01, 11(0)	107110	0/20/2022	12,870.02

GrandTotal: 3,954,346.34

Total count: 148



CITY OF SAN BRUNO

DATE:

April 4, 2022

TO:

Honorable Mayor and Members of the City Council

FROM:

Jovan D. Grogan, City Manager

PREPARED BY:

Qianyu Sun, Finance Director

Kathleen O'Malley, Accounting & Customer Service Representative

SUBJECT:

Accounts Payable Warrant Register

This is to certify that the claims listed on pages 1 to 2 inclusive, and/or claims numbered from 197120 through 197196 inclusive, totaling \$787,141.47 have been checked in detail and approved by the proper officials, and in my opinion, represent fair and just charges against the City in accordance with their respective amounts. The table below summarizes the total paid by Fund.

Fund	Fund Name	Amount
001	General Fund	\$325,754.24
006	American Rescue Plan Act	\$40,253.24
133	Restricted Revenues	\$273.57
201	Parks and Facilities Capital	\$181,566.98
203	Street Improvement Projects	\$39,324.36
611	Water Fund	64,975.68
621	Stormwater Fund	1.66
631	Wastewater Fund	22,509.40
641	CityNet Services Fund	40,736.02
701	Central Garage	5,857.55
703	General Equipment Revolving	65,476.17
707	Technology Development	412.60
TOTAL F	OR APPROVAL	\$787,141.47

Respectfully submitted,

Finance Director

04/05/2022

Date

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Vendor Co	de & Name	Check #	Check Date	Amount
0107560	A PLUS TREE, INC.	197120	4/4/2022	300.00
0018484	ACME SURPLUS STORE	197121	4/4/2022	215.01
0016708	ACOM SOLUTIONS, INC.	197122	4/4/2022	207.00
0106435	ACTION TOWING & ROAD SVC. INC.	197123	4/4/2022	115.50
0000163	AIRPORT AUTO PARTS INC.	197124	4/4/2022	43.63
0095130	ALAMEDA COUNTY SHERIFF'S DEPT.	197125	4/4/2022	481.00
0017298	ALLSTAR FIRE EQUIPMENT INC	197126	4/4/2022	1,252.58
0110170	ANGEL LALIC	197162	4/4/2022	23.86
0106862	ANIMAL DENTAL CLINIC	197127	4/4/2022	4,084.99
0100302	AP TRITON CONSULTING	197128	4/4/2022	8,454.00
0016123	AT&T	197129	4/4/2022	1,135.30
0105649	ATLAS PLUMBING AND ROOTER,INC.	197130	4/4/2022	19,500.00
0103045	BIG BELLY SOLAR, LLC	197131	4/4/2022	
0109906	BLOOMBERG FINANCE L.P.	197133	4/4/2022	39,324.36
				6,915.00
0108944	BRYAN WONG	197194	4/4/2022 4/4/2022	731.73
0014739	CAL-STEAM	197135		212.67
0102989	CALIFORNIA DIESEL & POWER	197134	4/4/2022	19,038.58
0110175	CHANEL JOYCE	197161	4/4/2022	80.45
0016324	CINTAS CORPORATION #464	197139	4/4/2022	242.34
0098588	CITY OF BURLINGAME	197140	4/4/2022	500.00
0000386	CITY OF SOUTH SAN FRANCISCO	197141	4/4/2022	6,414.37
0109788	CORE & MAIN LP	197143	4/4/2022	1,329.26
0018331	CSG CONSULTANTS INC.	197145	4/4/2022	2,650.80
0018188	DAU PRODUCTS	197146	4/4/2022	4,912.89
0107030	DEROTIC EMERGENCY EQUIPMENT	197148	4/4/2022	588.69
0101178	DISCOUNT PLUMBING	197149	4/4/2022	3,000.00
0102345	DUKE'S ROOT CONTROL, INC.	197150	4/4/2022	21,444.51
0110123	DUNNIGAN PSYCHOLOGICAL& THREAT ASSESSMEI	197190	4/4/2022	600.00
0106214	ERIK PARTIDA	197173	4/4/2022	145.00
0000162	GRAINGER	197152	4/4/2022	1,171.26
0108302	GRIFFIN STRUCTURES, INC.	197153	4/4/2022	47,717.67
0016967	GROUP 4	197154	4/4/2022	133,849.31
0000385	HACH COMPANY	197155	4/4/2022	7,166.93
0108488	HINDERLITER DE LLAMAS & ASSOCIATES	197147	4/4/2022	2,686.59
0096344	HUNT & SONS, INC.	197157	4/4/2022	5,527.37
0108404	IMAGETREND, INC.	197159	4/4/2022	3,090.00
0110155	JACKIE CHAN	197137	4/4/2022	303.76
0093379	JAMES HOULIHAN	197160	4/4/2022	250.00
0110177	JESSICA HWANG	197158	4/4/2022	22.10
0110173	JULIE ZEIGLER	197196	4/4/2022	81.77
0110158	KIMBERLY ANN CASTANEDA	197136	4/4/2022	317.93
0110176	KRISTINE MARIE ORTIZ	197170	4/4/2022	21.04
0109565	LAND LOGISTICS, INC.	197163	4/4/2022	2,505.00
0105752	LEVEL 3 COMMUNICATIONS, LLC	197164	4/4/2022	13,362.71
0093274	LINDSTROM CO	197165	4/4/2022	2,000.00
0110172	MARCOS ROCHA	197179	4/4/2022	38.14
0106643	MICHAEL PAULIN	197174	4/4/2022	
				890.00
0103600	MOMENTUM TELECOM, INC.	197166	4/4/2022	8,304.67
0110163	MOSHE YACOB	197195	4/4/2022	562.37
0014878	MOTOROLA SOLUTIONS INC.	197167	4/4/2022	16,615.81
0104730	MUNICIPAL EMERGENCY SERVICES	197168	4/4/2022	554.33
0110171	NEVIN PAVITHRAN	197175	4/4/2022	38.39
0110161	NEXUS ENERGY SYSTEM	197169	4/4/2022	151.00

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Total count:

Vendor Cod	e & Name	Check #	Check Date	Amount
0110167	OM PRAKASH	197177	4/4/2022	65.06
0000012	PACIFIC GAS & ELECTRIC	197171	4/4/2022	57,830.58
0000012	PACIFIC GAS & ELECTRIC	197172	4/4/2022	13.76
0110168	PATRICK HUNG	197156	4/4/2022	500.00
0014961	PENINSULA UNIFORMS & EQUIPMENT	197176	4/4/2022	873.98
0018801	PROFORCE LAW ENFORCEMENT	197178	4/4/2022	1,437.60
0107364	QI SU	197187	4/4/2022	351.27
0110130	RICHARD CROWE	197144	4/4/2022	173.62
0013581	ROVI GUIDES, INC.	197180	4/4/2022	6,612.27
0091374	SALVADOR CAMPOS	197181	4/4/2022	173.99
0018597	SAN MATEO DAILY JOURNAL	197182	4/4/2022	1,035.00
0102917	SFPUC FINANCIAL SERVICES	197183	4/4/2022	275.00
0110162	SHANG LI BIN	197132	4/4/2022	750.00
0018962	SHOE DEPOT INC.	197184	4/4/2022	593.51
0097079	SPRINT	197185	4/4/2022	113.97
0016831	STAPLES CREDIT PLAN	197186	4/4/2022	348.13
0002025	TELECOMMUNICATIONS ENGINEERING ASSOCIATE	197151	4/4/2022	992.00
0000241	THE ADAM-HILL COMPANY	197188	4/4/2022	62.47
0017928	THE EDCCO GROUP, INC.	197189	4/4/2022	350.00
0018687	TYLER TECHNOLOGIES INC.	197191	4/4/2022	957.60
0095749	VERIZON WIRELESS	197192	4/4/2022	4,697.02
0105955	WEST COAST CODE CONSULTANTS, INC.	197142	4/4/2022	252,210.49
0109786	WINNER CHEVROLET, INC.	197193	4/4/2022	65,476.17
0110174	YU-LIANG CHIANG	197138	4/4/2022	76.31
			GrandTotal:	787,141.47

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CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Benjie Lin, Management Analyst

SUBJECT: Payroll Acceptance

City Council acceptance of the City payroll distributed April 1, 2022 is recommended. The Labor Summary report reflecting the total payroll amount of \$1,557,778.17 for biweekly pay period ending March 27, 2022 by fund is shown below:

Fund	Amount
Fund: 001 - GENERAL FUND	\$1,099,195.75
Fund: 006 - AMERICAN RESCUE PLAN ACT	69,682.19
Fund: 121 - FEDERAL/STATE GRANTS	558.82
Fund: 122 - SOLID WAIST/RECYCL.	2,309.28
Fund: 132 - AGENCY ON AGING	1,053.27
Fund: 137 - DEVELOPER PROJECT CONTRIBUTIONS	9,283.47
Fund: 201 - PARKS AND FACILITIES CAPITAL	1,320.76
Fund: 203 - STREET IMPROVE. PROJECTS	11,276.10
Fund: 611 - WATER FUND	77,510.38
Fund: 621 - STORMWATER FUND	26,681.61
Fund: 631 - WASTEWATER FUND	78,189.52
Fund: 641 - CITYNET SERVICES FUND	114,589.75
Fund: 701 - CENTRAL GARAGE	9,564.02
Fund: 702 - FACILITY MAINT.FUND	29,232.41
Fund: 707 - TECHNOLOGY DEVELOPMENT	20,259.60
Fund: 711 - SELF INSURANCE	7,071.24
Total:	\$1,557,778.17

Qianyu Sun, Finance Director Date



CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Benjie Lin, Management Analyst

SUBJECT: Payroll Acceptance

City Council acceptance of the City payroll distributed March 18, 2022 is recommended. The Labor Summary report reflecting the total payroll amount of \$1,541,377.17 for biweekly pay period ending March 13, 2022 by fund is shown below:

Fund	Amount
Fund: 001 - GENERAL FUND	\$1,085,941.88
Fund: 006 - AMERICAN RESCUE PLAN ACT	68,728.32
Fund: 122 - SOLID WAIST/RECYCL.	2,261.97
Fund: 132 - AGENCY ON AGING	1,113.34
Fund: 137 - DEVELOPER PROJECT CONTRIBUTIONS	10,949.91
Fund: 201 - PARKS AND FACILITIES CAPITAL	944.98
Fund: 203 - STREET IMPROVE. PROJECTS	12,446.04
Fund: 611 - WATER FUND	82,980.71
Fund: 621 - STORMWATER FUND	25,584.30
Fund: 631 - WASTEWATER FUND	81,261.05
Fund: 641 - CITYNET SERVICES FUND	102,355.44
Fund: 701 - CENTRAL GARAGE	10,015.64
Fund: 702 - FACILITY MAINT.FUND	29,172.24
Fund: 707 - TECHNOLOGY DEVELOPMENT	20,453.15
Fund: 711 - SELF INSURANCE	7,168.20
Total:	\$1,541,377.17

Qianyu Sun, Finance Director

04/06/2022

Date



CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Qianyu Sun, Finance Director

PREPARED BY: Esther Garibay-Fernandes, Financial Services Manager

SUBJECT: Monthly Investment Report – February 2022

The table below summarizes the investment portfolio's total book value by Investment type.

Investment Type	Total Book Value
TriCounties Bank	\$20,054,697
Local Agency Investment Fund	29,661,949
San Mateo County Pool	26,071,506
Government Agency Investments	66,632,497
Municipal Bonds	23,177,893
Certificate of Deposit	500,000
Money Market Investments	77,121
Total Investments	\$166,175,665

Respectivity submitted,	
Crany Sim	03/25/2022
Finance Director	Date



CITY OF SAN BRUNO Portfolio Summary February 28, 2022

Investments	Coupon Rate	CUSIP	Book Value	Market Value	YTM	Maturity Date	% of Portfolio
Short Term Investments							
TriCounties Bank Cash Balance			20,054,697	20,054,697	0.00%	N/A	12%
Pooled Investments							
Local Agency Investment Fund			26,370,539	26,370,539	0.28%	NA	16%
Glenview Fire Local Agency Investment Fund			3,291,410	3,291,410	0.28%	NA	2%
Total LAIF			29,661,949	29,661,949			18%
San Mateo County Pool			26,071,506	26,071,506	0.86%		16%
Money Market Investments							
U.S. Government Money Market		31846V567	77,121	77,121	0.02%	NA	0%
Total Money Market Investments			77,121	77,121			
Certificate of Deposit							
Morgan Stanley Bank Brokered CD	1.95%	61690UPF1	250,000	251,415	1.84%	November 29, 2024	0.15%
Morgan Stanley Private Bank Brokered CD	1.90%	61760A3L1	250,000	251,083	1.80%	November 29, 2024	0.15%
Total Certificate of Deposit			500,000	502,498			0%
Total Short Term Investments			76,365,275	76,367,772			
Municipal Bonds							
San Francisco Ca City/County Pub Util	0.50%	79771FAW7	1,631,308	1,612,563	0.78%	November 1, 2023	1%
Riverside Community College Non-Callable GO	3.61%	76886PFF5	1,080,380	1,043,640	0.70%	August 1, 2024	1%
California St Univ Revenue Txbl Ref Ser B	2.18%	13077DHM7	1,547,193	1,535,793	1.51%	November 1, 2024	1%
California St Federally Taxable Var	3.38%	13063DGB8	1,105,910	1,049,021	0.69%	April 1, 2025	1%
California St Federally Taxable Var	3.38%	13063DGB8	1,466,885	1,391,428	0.65%	April 1, 2025	1%
University Calif Revs Taxable Gen Bds	0.88%	91412HGE7	1,513,455	1,454,655	0.65%	May 15, 2025	1%
Los Angeles Calif Comm Coll Dist GOB Unlimited Tax	0.77%	54438CYK2	2,000,000	1,920,400	0.77%	August 1, 2025	1%
California St Univ Revenue	0.89%	13077DML3	1,459,170	1,444,365	1.64%	November 1, 2025	1%
California St Taxable Various GOB	2.65%	13063DMA3	1,068,690	1,024,710	1.07%	April 1, 2026	1%
Pasadena USD non-callable GOB	2.07%	702282QD9	1,043,920	1,005,330	1.09%	May 1, 2026	1%
Los Angeles Unified SD non-callable	1.46%	544547FC9	2,009,340	1,965,260	1.35%	July 1, 2026	1%
Southern California St Public Pwer Auth	1.26%	842475P82	1,555,751	1,545,273	1.77%	July 1, 2026	1%
San Jose CA Redev Agy Successor Agy Tax Allocation	3.18%	798170AJ5	1,405,984	1,369,841	1.51%	August 1, 2026	1%
Cupertino UHSD Taxable non-callable GOB	2.15%	231237P28	1,057,240	1,011,930	0.96%	August 1, 2026	1%
Santa Monica CCD taxable non-callable GOB	1.04%	802385RR7	755,235	723,653	0.90%	August 1, 2026	0%
Los Angeles Calif Comm Coll Dist GOB Unlimited Tax	1.17%	54438CYL0	998,010	960,460	1.22%	August 1, 2026	1%
California St Taxable BID non-callable	2.38%	13063DRD2	736,400	712,316	1.28%	October 1, 2026	0%
California St Taxable BID non-callable	2.38%	13063DRD2	743,022	718,721	1.37%	October 1, 2026	0%
Total Municipal Bonds Investments			23,177,893	22,489,358			14%

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CITY OF SAN BRUNO Portfolio Summary February 28, 2022

lava et monte.	Coupon Rate	CUSIP	Book Value	Mankat Value	YTM	Maturity Date	% of Portfolio
Investments US Treasuries & Agencies	Kale	CUSIP	DOOK Value	Market Value	TIIVI	Maturity Date	POLITOIO
U.S. Treasury Notes (WIT)	0.50%	91282CDM0	999,398	984,020	0.53%	November 30, 2023	1%
U.S. Treasury Notes	0.88%	91282CDV0	1,972,344	1,978,360	1.59%	January 31, 2024	1%
U.S. Treasury Notes	0.13%	91282CBM2	1,957,031	1,948,200	1.20%	February 15, 2024	1%
U.S. Treasury Notes	0.15%	91282CBR1	1,963,906	1,949,920	1.10%	March 15, 2024	1%
U.S. Treasury Notes	2.25%	9128286R6	1,541,836	1,523,325	1.02%	April 30, 2024	1%
U.S. Treasury Notes	2.00%	912828XT2	1,542,656	1,515,525	0.82%	May 31, 2024	1%
U.S. Treasury Notes	1.75%	9128286Z8	1,536,680	1.507.035	0.77%	June 30, 2024	1%
U.S. Treasury Notes	0.38%	91282CCL3	1,981,406	1,945,240	0.73%	July 15, 2024	1%
U.S. Treasury Notes	1.25%	912828YE4	1,013,750	991,950	0.75%	August 31, 2024	1%
U.S. Treasury Notes	0.38%	91282CCX7	1,991,563	1.939.460	0.52%	September 15, 2024	1%
U.S. Treasury Notes	1.50%	912828YM6	3,611,016	3,490,305	0.54%	October 31, 2024	2%
U.S. Treasury Notes	2.25%	912828G38	2,115,000	2,034,060	0.53%	November 15, 2024	1%
U.S. Treasury Notes	1.75%	912828YY0	2,081,563	2,007,260	0.58%	December 31, 2024	1%
U.S. Treasury Notes	1.38%	912828Z52	2,055,313	1,985,620	0.60%	January 31, 2025	1%
U.S. Treasury Notes	1.13%	912828ZC7	2,036,016	1.970.000	0.63%	February 28, 2025	1%
U.S. Treasury Notes	0.50%	912828ZF0	1,989,219	1,930,860	0.64%	March 31, 2025	1%
U.S. Treasury Notes	0.25%	912828ZW3	1,963,750	1,906,640	0.71%	June 30, 2025	1%
U.S. Treasury Notes	0.25%	91282CAB7	1,305,746	1,261,758	0.60%	July 31, 2025	1%
U.S. Treasury Notes	0.25%	91282CAJ0	1,958,750	1,900,860	0.75%	August 31, 2025	1%
U.S. Treasury Notes	0.25%	91282CAM3	1,967,446	1,898,280	0.63%	September 30, 2025	1%
U.S. Treasury Notes	0.26%	91282CAT8	1,465,547	1,421,775	0.76%	October 31, 2025	1%
U.S. Treasury Notes	0.38%	91282CAZ4	1,962,891	1,902,340	0.78%	November 30, 2025	1%
U.S. Treasury Notes	0.38%	91282CBC4	1,971,878	1,900,620	0.69%	December 31, 2025	1%
U.S. Treasury Notes	0.38%	91282CBH3	970,234	948,520	1.10%	January 31, 2026	1%
U.S. Treasury Notes	1.57%	912828P46	2,075,391	1,991,260	0.84%	February 15, 2026	1%
U.S. Treasury Notes	0.51%	91282CBQ3	1,966,172	1,904,620	0.85%	February 28, 2026	1%
U.S. Treasury Notes	0.75%	91282CBT7	1,884,859	1,826,147	0.91%	March 31, 2026	1%
U.S. Treasury Notes	0.75%	91282CBW0	1,987,813	1,920,160	0.88%	April 30, 2026	1%
U.S. Treasury Notes	1.63%	912828R36	1,456,000	1,392,944	0.80%	May 15, 2026	1%
Federal Home Loan Bank	0.88%	3130AN4T4	1,148,747	1,106,749	0.90%	June 12, 2026	1%
U.S. Treasury Notes	0.63%	91282CCP4	992,773	952,270	0.77%	July 31, 2026	1%
U.S. Treasury Notes	0.75%	91282CCW9	1,997,813	1,913,900	0.77%	August 31, 2026	1%
U.S. Treasury Notes	1.63%	912828YG9	1,034,219	994,450	0.92%	September 30, 2026	1%
U.S. Treasury Notes (WIT)	0.88%	91282CCZ2	997,227	961,370	0.93%	September 30, 2026	1%
U.S. Treasury Notes (WIT)	1.13%	91282CDG3	995,391	971,244	1.22%	October 31, 2026	1%
U.S. Treasury Notes (WIT)	1.13%	91282CDG3	996,367	972,196	1.20%	October 31, 2026	1%
U.S. Treasury Notes (WIT)	1.25%	91282CDK4	1,501,684	1,466,070	1.23%	November 30, 2026	1%
U.S. Treasury Notes	1.25%	91282CDQ1	1,647,422	1,611,852	1.28%	December 31, 2026	1%
U.S. Treasury Notes	1.25%	912828Z78	1,995,685	1,976,400	1.55%	January 31, 2027	1%
Total U.S. Treasuries & Agencies			66,632,497	64,803,564			40%
TOTAL PORTOFLIO			166,175,665	163,660,695	0.683%	_	100%
			100,170,000	100,000,090	0.003 /0	= -	100 /0
TOTAL INVESTMENTS, EXCLUDING BANK BALANCE			146,120,968	143,605,997	0.777%		

There is adequate cash flow and maturity of investments to meet the City's needs for the next six months.

 Prepared By:
 3/11/2022

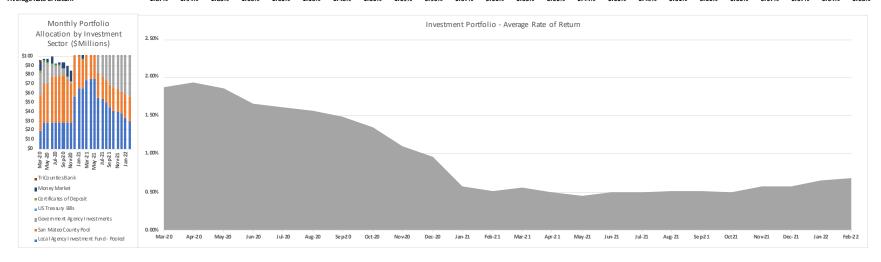
 Reviewed By:
 O3/25/2022

Page 2



CITY OF SAN BRUNO Portfolio Summary Metrics February 28, 2022

Monthly Portfolio Allocation by Investment Sector (\$Millions)	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct21	Nov-21	Dec-21	Jan-22	Feb-22
TriCounties Bank	\$7.5	\$8.3	\$4.0	\$8.7	\$15.5	\$15.9	\$15.5	\$17.8	\$22.3	\$16.4	\$14.5	\$22.9	\$7.8	\$10.3	\$17.1	\$12.8	\$14.9	\$16.6	\$16.4	\$21.5	\$16.5	\$17.4	\$17.3	\$20.1
Local Agency Investment Fund - Pooled	19.5	27.6	27.6	28.6	28.7	28.7	28.7	28.7	28.8	56.8	64.8	64.8	74.8	74.9	74.9	54.9	53.5	49.5	44.4	41.3	39.6	38.0	33.1	29.7
San Mateo County Pool	38.0	43.2	43.3	49.5	49.8	50.4	50.7	46.5	41.9	43.9	35.8	31.4	31.9	33.8	30.2	27.4	24.5	24.9	25.1	25.7	26.2	23.8	25.9	26.1
Government Agency Investments	25.0	23.0	21.0	13.0	11.0	11.0	7.0	2.0	2.0	1.0	0.0	0.0	9.4	9.3	12.2	35.9	37.0	38.0	44.0	44.0	52.5	57.2	62.7	66.6
Municipal Bond Investments	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.1	1.1	2.6	4.6	6.1	7.9	8.9	11.1	14.8	17.2	21.6	23.2
US Treasury Bills	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Certificates of Deposit	1.5	1.5	1.0	0.8	0.8	0.8	0.8	0.8	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Money Market	10.2	2.3	4.8	8.2	2.2	2.2	6.2	11.3	11.5	0.5	6.5	6.5	0.1	0.1	0.0	1.2	0.0	2.0	0.0	2.9	0.0	0.0	0.0	0.1
Total	\$101.7	\$105.9	\$101.7	\$108.7	\$108.0	\$108.9	\$108.9	\$107.1	\$107.0	\$119.1	\$122.1	\$126.1	\$125.6	\$130.0	\$137.5	\$137.3	\$136.5	\$139.4	\$139.3	\$147.0	\$150.1	\$154.1	\$161.1	\$166.2
Average Rate of Return	1.87%	1.94%	1.85%	1.66%	1.60%	1.56%	1.48%	1.35%	1.09%	0.95%	0.57%	0.51%	0.55%	0.50%	0.44%	0.50%	0.49%	0.51%	0.51%	0.50%	0.57%	0.57%	0.64%	0.68%



4/7/2022 11:10:21AM

Through period: 8

City of San Bruno Through February 2022

	_	Cash	Investments	Fund Total
001	GENERAL FUND	12,567,447.77	57,275.72	12,624,723.49
002	GENERAL FUND RESERVE	11,640,517.62	0.00	11,640,517.62
003	ONE-TIME REVENUE	1,241,867.64	0.00	1,241,867.64
004	CAP IMPROV/ONE-TIME INITIATIVE RSRV	9,210,384.37	0.00	9,210,384.37
005	MEASURE G DISTRICT SALES TAX	2,968,727.75	0.00	2,968,727.75
006	AMERICAN RESCUE PLAN ACT	3,210,592.13	0.00	3,210,592.13
101	GAS TAX	1,499,491.08	0.00	1,499,491.08
102	MEASURE A TRANSPORTATION TAX	1,942,639.51	0.00	1,942,639.51
103	STREET SPECIAL REVENUE	183,504.09	0.00	183,504.09
104	MEASURE W TRANSPORTATION TAX	793,436.83	0.00	793,436.83
111	POLICE ASSET FORFEITURE	494,402.23	0.00	494,402.23
113	POLICE SPECIAL REVENUE	184,228.71	0.00	184,228.71
121	FEDERAL/STATE GRANTS	(38,920.09)	0.00	(38,920.09)
122	SOLID WASTE/RECYCL.	317,366.27	0.00	317,366.27
130	IMPACT FEES	131,388.58	0.00	131,388.58
131	IN-LIEU FEES	10,423,718.59	0.00	10,423,718.59
132	AGENCY ON AGING	112,320.05	0.00	112,320.05
133	RESTRICTED REVENUES	2,523,111.92	0.00	2,523,111.92
136	EMERGENCY DISASTER RESERVE	2,780,984.46	0.00	2,780,984.46
137	DEVELOPER PROJECT CONTRIBUTIONS	800,503.56	0.00	800,503.56
140	DEVELOPER IN-LIEU UNDERGROUNDING	75,000.00	0.00	75,000.00
151	SUCCESSOR AGENCY TO THE SB RDA - OPS	0.00	0.00	0.00
152	CITY OF SB AS SUCCESSOR HOUSING AGENC	700,648.55	0.00	700,648.55
153	RDA OBLIGATION RETIREMENT FUND	2,282,721.30	4.95	2,282,726.25
190	DISASTER RECOVERY FUND	913,260.44	0.00	913,260.44
201	PARKS AND FACILITIES CAPITAL	7,512,375.80	0.00	7,512,375.80
203	STREET IMPROVE. PROJECTS	4,443,250.68	0.00	4,443,250.68
207	TECHNOLOGY CAPITAL	412,982.82	0.00	412,982.82
302	LEASE DEBT SERVICE	315,788.54	0.22	315,788.76
611	WATER FUND	46,511,320.46	71.50	46,511,391.96
621	STORMWATER FUND	689,662.36	0.00	689,662.36
631	WASTEWATER FUND	46,670,011.43	59,343.72	46,729,355.15
641	CITYNET SERVICES FUND	(15,272,443.28)	0.00	(15,272,443.28)
701	CENTRAL GARAGE	180,718.34	0.00	180,718.34
702	FACILITY MAINT.FUND	611,946.01	0.00	611,946.01
703	GENERAL EQUIPMENT REVOLVING	3,876,807.07	0.00	3,876,807.07
707	TECHNOLOGY DEVELOPMENT	308,059.69	0.00	308,059.69
711	SELF INSURANCE	953,129.02	91,118.50	1,044,247.52
891	RECOLOGY SAN BRUNO	535,902.56	0.00	535,902.56
	Grand Total:	164,708,854.86 *	207,814.61	164,916,669.47

* Reconciliation of Pooled Cash & Investments to Portfolio	Book Value
Investment Portfolio Value	146,120,967.04
Cash on hand - Checking Account	20,054,697.49
Payroll and Accounts Payable Outstanding Checks	(1,057,640.01)
Deposits in Transit	(409,169.66)
General Ledger Cash Balance as of Feburary 28, 2022	164,708,854.86

Totals are through period: 8

Prepared By: Dculars Ling 4/7/2022

Reviewed By: Crany 5m 20 of 206



Rico Medina, Mayor Linda Mason, Vice Mayor Tom Hamilton, Councilmember Marty Medina, Councilmember Michael Salazar, Councilmember

MINUTES SAN BRUNO CITY COUNCIL SPECIAL MEETING March 22, 2022 4:00 p.m.

- 1. CALL TO ORDER
- 2. **ROLL CALL –** All Councilmembers were present.
- 3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no speakers during public comment.

4. CLOSED SESSION

a. Conference with Labor Negotiators Pursuant to Gov't Code Section 54957.6 Agency Designated Representatives: City Manager Employee Organizations: Mid-Management Unit, Public Safety Mid-Management Bargaining Unit, San Bruno Police Bargaining Unit, San Bruno Professional Firefighters Association, Miscellaneous Bargaining Unit, San Bruno Management Employees Association

There was no reportable action for this item.

5. **ADJOURNMENT:** The meeting adjourned at 4:42 p.m.

The next Regular City Council Meeting will be held on April 12, 2022 at 7:00 p.m.

The meeting minutes were prepared by **Melissa Thurman**, **City Clerk**, for approval at the regular meeting of April 12, 2022.

Vicky S. Hasha, Deputy City Clerk	
Rico E. Medina Mayor	



Rico Medina, Mayor Linda Mason, Vice Mayor Tom Hamilton, Councilmember Marty Medina, Councilmember Michael Salazar, Councilmember

MINUTES SAN BRUNO CITY COUNCIL SPECIAL MEETING March 22, 2022 5:00 p.m.

- 1. CALL TO ORDER
- 2. **ROLL CALL –** All Councilmembers were present.
- 3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no speakers during public comment.

4. STUDY SESSION

a. Receive Presentation from Fair Vote on Ranked Choice Voting and The Center for Election Science on Voting Method Reform.

Diane Silver and Steve Chessin, FairVote, provided a presentation.

Felix Sargent, The Center for Election Science, provided a presentation.

There were no speakers during public comment.

Discussion item only. No motion taken.

5. **ADJOURNMENT:** The meeting adjourned at 6:32 p.m.

The next Regular City Council Meeting will be held on April 12, 2022 at 7:00 p.m.

pproval at the

The meeting minutes were prepared by N regular meeting of April 12, 2022.	elissa Thurman, City Clerk, for a
Vicky S. Hasha, Deputy City Clerk	
Rico E. Medina Mayor	



Rico E. Medina, Mayor Linda Mason, Vice Mayor Tom Hamilton, Councilmember Marty Medina, Councilmember Michael Salazar, Councilmember

MINUTES

SAN BRUNO CITY COUNCIL

March 22, 2022

7:00 p.m.

- 1. CALL TO ORDER
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE All Councilmembers were present.
- 3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

The following members of the public spoke during public comment:

- Joe Yanke Spoke regarding road issues on Crystal Springs Rd.
- Bernel Mershon Spoke regarding various concerns on the Senior Center.
- Paul Wapensky Spoke in opposition of Ranked Choice Voting and asked for a status update on the Centennial Park project.
- Jeremy Sarnecky Announced he is organizing an Earth Day event in San Bruno.

4. PUBLIC HEARING

a. **Hold** Sixth Public Hearing; Waive Second Reading and Adopt and Ordinance to Adopt a District Map and Amend Municipal Code Chapter 2.32.010 General Municipal Elections.

Kristen Parks, NDC Consultant and Jennifer Nentwig, Tripepi Smith Consultant, presented the report.

Rico E. Medina, Mayor, opened the public hearing.

The following members of the public spoke during public comment:

• Lorry Greenberg – Spoke with questions on the voting process in district elections.

M/S Hamilton/Salazar to close the public hearing. **Motion carried unanimously by roll call vote.**

M/S Salazar/M. Medina to waive the second reading. **Motion carried 3-2 by roll call vote with Councilmember Hamilton and Vice Mayor Mason opposed.**

M/S Salazar/M. Medina to adopt an ordinance to adopt a district map and amend Municipal Code Chapter 2.32.010 General Municipal Elections. **Motion carried 3-2** by roll call vote with Councilmember Hamilton and Vice Mayor Mason opposed.

5. ANNOUNCEMENTS/PRESENTATIONS

- a. Save the date! The Community Services Department's Recreation Division will partner with the San Bruno Lions Club for a Pancake Breakfast and the San Bruno Rotary Club for an Egg Hunt! The event will take place on April 9, 2022 (9:00 a.m. 10:30 a.m. Breakfast) with an Egg Hunt countdown beginning at 11:00 a.m. with four egg hunt areas designated by age (8 and under) between Lara Field and Diamond #2 at San Bruno City Park, 251 City Park Way.
- b. The deadline to apply for rent and utilities relief is March 31, 2022. All applications must be submitted by the deadline in order to be considered for funding. Qualified renters and landlords impacted by COVID-19 should apply at HousingIsKey.com or 833-430-2122.

The City Council recessed at 8:24 p.m.

The City Council reconvened at 8:30 p.m.

6. CONSENT CALENDAR

All items are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion, unless requested.

M/S Salazar/Hamilton to approve the Consent Calendar. **Motion carried unanimously by roll call vote.**

- a. **Accept** Accounts Payable of March 7 and March 14, 2022.
- b. Accept Payroll of February 27, 2022.
- c. **Approve** the Draft Special and Regular Meeting Minutes for the Meetings of March 8, 2022.
- d. **Receive** Written Update on the City's Response Efforts to COVID-19.
- e. **Receive** the 2021 Housing Element Annual Progress Report and Authorize Transmittal to the California Department of Housing and Community Development and Governor's Office of Planning and Research.
- f. **Receive** the 2021 General Plan Annual Progress Report and Authorize Transmittal to the California Department of Housing and Community Development and Governor's Office of Planning and Research.
- g. Adopt Resolution Authorizing the City Manager to Execute an Agreement Amendment with Lee & Ro, Inc. for the Redesign of the Cunningham Water Tank (Water Tank No. 1) Replacement Project in an Amount Not to Exceed \$405,201; Approving a 10% Design Contingency; and Accepting up to \$314,500 of Funding from City/County of San Francisco toward the Redesign per the Memorandum of Agreement between City/County of San Francisco and the City of San Bruno.

7. CONDUCT OF BUSINESS

- a. Adopt Resolution:
 - Approving the Design;
 - Authorizing the City Manager to Execute a Construction Contract with

City Council – Minutes March 22, 2022 Page **3** of **4**

Golden Bay Construction for the Huntington / San Antonio Bicycle Corridor Project in the Amount of \$1,123,104;

- Approving a Construction Contingency of \$285,000;
- Approving a Total Budget in the Amount of \$1,588,104; and
- Appropriating \$843,467 from the Gas Tax Fund

Matthew Lee, Public Works Director, presented the report.

The following member of the public spoke regarding the item:

• Paul Wapensky – Spoke in opposition of the project due to the cost.

M/S Salazar/M. Medina to adopt a resolution. **Motion carried unanimously by roll call vote.**

b. **Adopt** Resolution Approving the Design; Authorizing the City Manager to Execute a Construction Contract with Golden Bay Construction, Inc. for the Spyglass Drive Storm Drain Improvements Project in an Amount Not to Exceed \$805,310.25; Authorizing the City Manager to Execute an Agreement with Tanner Pacific, Inc. for Construction Management and Inspection Services in An Amount Not To Exceed \$99,254; Approving an Agreement Amendment with Freyer & Laureta for Grant Support Services for \$15,000; Approving a Construction Contingency of \$120,800; and Approving a Total Project Budget in the Amount of \$1,455,000.

Matthew Lee, Public Works Director, presented the report.

There were no public speakers during public comment.

M/S Hamilton/M. Medina to adopt a resolution. **Motion carried unanimously by roll call vote.**

8. COMMENTS FROM COUNCIL MEMBERS

a. Linda Mason:

 Request informational presentation by third party contractor providing building inspection services to the City of San Bruno on the inspection process required to open a business and how the City is assisting in these efforts.

Linda Mason, Vice Mayor, presented the item.

A majority of the City Council requested staff bring a brief presentation to a future meeting regarding the topic.

- Spoke about a play she attended with a San Bruno cast.
- Thanked staff for flying the Ukranian flag outside City Hall.
- Thanked Jennifer Brizel, Assistant City Manager, for her time at the City of San Bruno.

Tom Hamilton:

Announced a Downtown San Bruno Stroll.

City Council – Minutes March 22, 2022 Page **4** of **4**

• Thanked Jennifer Brizel, Assistant City Manager, for her time at the City of San Bruno.

Marty Medina:

- Announced a Second Harvest Food Distribution event at Belle Air Elementary School and Skyline Community College.
- Announced the grand opening of San Bruno baseball at Lara Field.

Rico E. Medina:

- Announced an event he will attend with State Senators regarding grade separation.
- Thanked Jennifer Brizel, Assistant City Manager, for her time at the City of San Bruno.
- 9. **ADJOURNMENT –** The meeting adjourned at 10:09 p.m.

The next Regular City Council Meeting will be held on April 12, 2022 at 7:00 p.m.

The meeting minutes were prepared by Melissa Thurman, City Clerk, for approval at the regular meeting of April 12, 2022.

Vicky S. Hasha, Deputy City Clerk	
Rico E. Medina	
Rico E. Medina Mayor	



Rico E. Medina, Mayor Linda Mason, Vice Mayor Tom Hamilton, Councilmember Marty Medina, Councilmember Michael Salazar, Councilmember

MINUTES

SAN BRUNO CITY COUNCIL

Special Meeting

March 29, 2022

5:00 p.m.

- 1. CALL TO ORDER
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE All Councilmembers were present.
- 3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no speakers during public comment.

4. STUDY SESSION

a. Conduct Study Session and Provide Direction Regarding the Process and Next Steps to Become a Charter City.

Jovan Grogan, City Manager and Marc Zafferano, City Attorney, presented the report.

The following member of the public spoke regarding the item:

Auros Harman – Spoke in support of the item.

A majority of the City Council supported placing a Charter City measure on the November 2022 ballot.

b. Conduct Study Session and Provide Direction Regarding Submitting a Measure to the Voters at the November 8, 2022 General Election Repealing Ordinance that Established the Elective Office of Mayor.

Jovan Grogan, City Manager and Marc Zafferano, City Attorney, presented the report.

The following member of the public spoke regarding the item:

- Plymouth Spoke in opposition of the item.
- Auros Harman Spoke in opposition of the item.

A majority of the City Council supported placing a measure on the November 2022 ballot repealing the ordinance that established the elective office of Mayor.

City Council – Minutes March 29, 2022 Page **2** of **2**

> c. Conduct Study Session and Provide Direction Regarding Submitting a Measure to the Voters at the November 8, 2022 General Election Repealing Section 2.04.015(B) of the Municipal Code and Establishing Term Limits for Councilmembers.

Jovan Grogan, City Manager and Marc Zafferano, City Attorney, presented the report.

The following member of the public spoke regarding the item:

- Plymouth Spoke in opposition of the item.
- Auros Harman Spoke in opposition of the item.
- Teri Chavez Spoke in opposition of the item.

A majority of the City Council supported placing a measure on the November 2022 ballot repealing Section 2.04.015(B) of the Municipal Code and establishing term limits for Councilmembers, specifically for three consecutive terms.

d. Conduct Study Session and Provide Direction Regarding Adopting Local Campaign Finance Regulations.

Jovan Grogan, City Manager and Marc Zafferano, City Attorney, presented the report.

The following member of the public spoke regarding the item:

• Auros Harman – Spoke in opposition of the item.

A majority of the City Council supported adopting a local campaign finance regulation ordinance.

5. **ADJOURNMENT –** The meeting adjourned at 8:03 p.m. The next Regular City Council Meeting will be held on April 12, 2022 at 7:00 p.m.

The meeting minutes were prepared by Melissa Thurman, City Clerk, for approval at the regular meeting of April 12, 2022.

Vicky S. Hasha, Deputy City Clerk	
Rico E. Medina, Mayor	



CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan Grogan, City Manager

PREPARED BY: Qianyu Sun, Director

SUBJECT: Adopt Resolution Authorizing the City Manager to Execute an Agreement

with Badawi & Associates for Professional Auditing Services for Fiscal Years Ending June 30, 2022 through 2024 for an All Inclusive Fee of

\$139,005

BACKGROUND: The City of San Bruno follows a standard practice to retain independent auditing services to examine and evaluate the adequacy and effectiveness of internal control and quality of financial performance, when preparing the annual comprehensive financial reports (ACFR) to the City Council. The scope of the annual audits includes:

- Comprehensive financial statements
- Federal grants
- Transportation Development Act Program
- Measure A and W Funds
- GANN limit

The independent auditors' report is instrumental in providing City Council and the public insight into the City's financial management. It is also critical in the City's effort to apply for the Certificate of Achievement for Excellence in Financial Reporting with the Government Financial Officers Association (GFOA).

Maze & Associates (Maze) has been our auditor since FY 2015-16 and developed strong collaborative relationships with the City staff. We cannot be more pleased with Maze's services and assistance. The current contract with Maze ends with FY 2020-21. It is a best practice for the City to solicit competitive auditing service proposals periodically to ensure auditors' independence and competitiveness.

DISCUSSION: The Finance Department issued a request for proposals (RFP) for professional auditing services on February 11, 2022. These audits are to be performed in accordance with generally accepted auditing standards, the standards set forth for financial audits in the U.S. Government Accountability Office's (GAO) Government Auditing Standards (GAS), the provisions of the Federal Single Audit Act and the U.S.

Office of Management and Budget (OMB) Circular A-133, and Governmental Accounting Standards Board (GASB) Pronouncements. The proposals were evaluated on the following criteria:

- A. Auditing firm's qualification and experience in conducting audits of cities of similar nature, size, and complexity.
- B. Technical experience and professional qualifications of the audit team
- C. Audit approach and work plan
- D. Cost

Three qualified accounting firms responded to the RFP. The technical aspects of all three proposals are competitive. In the end, cost is the determining factor in staff's recommendation for selecting Badawi and Associates. The following table illustrates the all inclusive prices of the three proposals.

Firm	All Inclusive Prices
Badawi & Associates	\$139,005
Maze & Associates	\$168,292
Eide Bailly LLP	\$348,330

Badawi & Associates (Badawi) is founded by Mr. Ahmed Badawi, a certified public accountant with over 20 years of experience working with state and local government. The firm is located in Berkeley and serves a variety of cities and towns throughout California, including Berkeley, Petaluma, Antioch, Lafayette, Millbrae, etc. Staff reached out the some of the cities for references and received positive reviews and feedbacks.

FISCAL IMPACT: The current auditing service contract with Maze carries an annual price of \$52,708, total of \$158,124 for three years. The selection of Badawi and Associates will lower the City's budget on auditing services for the next three years and create a saving of \$19,119 for three years.

ENVIRONMENTAL IMPACT: There is no environmental impact.

RECOMMENDATION: Adopt resolution authorizing the city manager to execute an agreement with Badawi & Associates for professional auditing services for fiscal years ending June 30, 2022 through 2024 for an all-inclusive fee of \$139,005.

ALTERNATIVES: 1. Direct staff to engage another firm to conduct the audit. 2. Recirculate the Requests for Proposals to seek alternative proposals.

ATTACHMENTS: 1. Resolution

RESOLUTION NO. 2022-____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BADAWI & ASSOCIATES FOR PROFESSIONAL AUDITING SERVICES FOR FISCAL YEARS ENDING JUNE 30, 2022 THROUGH 2024 FOR AN ALL INCLUSIVE FEE OF \$139,005

WHEREAS, the existing professional auditing services contract with Maze & Associates terminates for FY 2020-21; and

WHEREAS, it is a best practice to solicit competitive auditing service proposals periodically to ensure auditors' independence and competitiveness; and

WHEREAS, the Finance Department issued an Request for Proposal on February 11, 2022 and received three qualified proposals; and

WHEREAS, technical components of all three proposals are competitive and prices become the determining factor; and

WHEREAS, Badawi & Associates presented a competitive proposal with the lowest total all-inclusive price of \$139,005 for auditing services for fiscal years ending June 30, 2022 through 2024; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of San Bruno authorizes the City Manager to execute an agreement with Badawi and Associates, Inc. for professional auditing services for fiscal years ending June 30, 2022 through 2024 for an all-inclusive fee of \$139,005

—000—

I hereby certify that foregoing Resolution No. 2022-____ was introduced and adopted by the San Bruno City Council at a regular meeting on April 12, 2022 by the following vote:

AYES:	
NOES:	
ABSENT:	
Attest:	
Melissa Thurman, MM0 City Clerk)



CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan Grogan, City Manager

PREPARED BY: Melissa Thurman, City Clerk

SUBJECT: Adopt Resolution Declaring the Continued State of Local Emergency and

Need for the City Council and Other Legislative Bodies Subject to the Ralph M. Brown Act to Continue to Teleconference in Order to Ensure the

Health and Safety of the Public Pursuant to AB 361

BACKGROUND: On March 4, 2020, Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19.

On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act to allow local legislative bodies to conduct meetings telephonically or by other means. Additionally, the State implemented a shelter-in-place order, requiring all non-essential personnel to work from home.

In response to the Executive Order, City staff created Zoom accounts for various departments and underwent training to ensure that City Council meetings could continue safely for the members, staff, and the public. The City Council has been conducting virtual meetings since April 2020 and the City's Commissions, Boards and Committees began meeting virtually in June 2020. The usage for Zoom for public meetings has allowed the City to ensure the public's continued access to government meetings while also ensuring the public's safety.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for agencies to transition back to public meetings held in full compliance with the Ralph M. Brown Act. Since Executive Order N-08-21 was enacted, the Delta and Omicron Variants of the COVID-19 virus have emerged, which has resulted in ten times the number of confirmed COVID-19 cases throughout the county since June 2021. Taking these factors into account, San Bruno has continued its public meetings in the virtual setting and wishes to maintain this format to preserve the health and safety of its staff, elected officials and constituents.

DISCUSSION: AB 361 was signed into law by the Governor on September 16, 2021, went into effect immediately as urgency legislation (codified under Government Code § 54953), and allows local legislative bodies to continue to meet remotely beyond the current executive order's expiration of September 30, 2021, in any of the following circumstances:

- The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. (Government Code § 54953(e)(1)(A)-(C).)

Staff has determined the following findings can be made to meet the above provisions of AB 361:

- The state of California remains under the COVID-19 state of emergency proclaimed by the Governor pursuant to the California Emergency Services Act.
- The emergency continues to directly impact the ability of members to meet safely in person.

On February 17, 2022, Governor Gavin Newsom lifted several states of emergencies that were in place in California but kept the state of emergency for COVID-19 intact.

On October 26, 2021, during a regular meeting, the City Council adopted a resolution making necessary findings so that the City may continue to teleconference public meetings without adhering to all of the Brown Act's teleconferencing requirements, in order to ensure the health and safety of the public. The public has the ability to attend public meetings by teleconference accessibility via call-in option or an internet-based service option (via the Zoom Webinars platform). Meeting details including the Zoom link and accessible phone numbers are listed on the published agenda for each meeting. The City monitors attendance via teleconference as well as email correspondence received throughout each public meeting and provides access for public comment opportunities in real time both verbally and in writing.

The City Council may continue to teleconference public meetings under AB 361 if the City Council makes findings every 30 days during the proclaimed state of emergency. AB 361 will sunset on January 1, 2024, or whenever the City Council returns to in-person meetings, whichever occurs first.

FISCAL IMPACT: There is no fiscal impact.

ENVIRONMENTAL IMPACT: The action is not a project subject to CEQA. City Council's action is not considered a "Project" per CEQA Guidelines and therefore no further environmental analysis is required.

RECOMMENDATION: Adopt Resolution Declaring the Continued State of Local Emergency and Need for the City Council and Other Legislative Bodies Subject to the Ralph M. Brown Act to Continue to Teleconference in Order to Ensure the Health and Safety of the Public Pursuant to AB 361

ALTERNATIVES: The City Council may choose to not adopt the resolution or adjust staff's findings; however, if a resolution is not adopted, the City may not be subject to the Brown Act exemptions that would be allowed under AB 361.

ATTACHMENTS: 1. . Resolution

- 2. Governor's Executive Order N-29-20
- 3. Governor's Executive Order N-08-21
- 4. AB 361

RESOLUTION NO. 2022 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO DECLARING THE CONTINUED STATE OF LOCAL EMERGENCY AND NEED FOR THE CITY COUNCIL AND OTHER CITY LEGISLATIVE BODIES SUBJECT TO THE RALPH M. BROWN ACT TO CONTINUE TO TELECONFERENCE IN ORDER TO ENSURE THE HEALTH AND SAFETY OF THE PUBLIC PURSUANT TO AB 361

WHEREAS, on March 4, 2020, the Governor of California proclaimed a State of Emergency to exist in California as a result of the threat of novel coronavirus disease 2019 (COVID-19); and

WHEREAS, on March 17, 2020, the Governor of California executed Executive Order N-29-20 which suspended and modified specified provisions in the Ralph M. Brown Act (Government Code Section § 54950 *et seq.*) and authorized local legislative bodies to hold public meetings via teleconferencing and to make public meeting accessible telephonically or otherwise electronically to all members of the public seeking to observe and address the local legislative body; and

WHEREAS, on June 11, 2021, the Governor of California executed Executive Order N-08-21 which extended the provisions of Executive Order N-29-20 concerning teleconference accommodations for public meetings through September 30, 2021; and

WHEREAS, the City of San Bruno, including its City Council and all other legislative bodies subject to the Ralph M. Brown Act ("Brown Act Bodies") have been holding meetings using teleconferencing and virtual meeting technology in an effort to help protect City officials, City staff and the public from COVID-19; and

WHEREAS, because of the rise in COVID-19 cases due to the Delta and Omicron variants, the City is concerned about the health and safety of all individuals who intend to attend public meetings of the City in person; and

WHEREAS, on September 16, 2021, the Governor of California signed into law Assembly Bill 361 (AB 361, Rivas) into law as an urgency measure that went into effect immediately; and

WHEREAS, AB 361 authorizes local legislative bodies to continue to conduct meetings using teleconferencing without complying with the Ralph M. Brown Act's standard teleconferencing requirements if certain conditions are met; and

WHEREAS, AB 361 requires local findings that meeting in person would present an imminent risk to the health and safety of attendees; and

WHEREAS, the City desires to continue conducting public meetings of its Brown Act Bodies using teleconferencing as authorized by AB 361.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN BRUNO RESOLVES AS FOLLOWS:

- 1. The City Council hereby finds and determines that the foregoing recitals are true and correct; the recitals are hereby incorporated by reference into each of the findings as though fully set forth therein.
- 2. In compliance with AB 361, the City Council makes the following findings:
 - a. The City Council has reconsidered the circumstances of the state of emergency, and the state of emergency remains active; and
 - b. The state of emergency continues to directly impact the ability of the City's Brown Act Bodies, as well as staff and members of the public, to meet safely in person; and
- 3. Meetings of the City's Brown Act Bodies will continue to be conducted via teleconference, pursuant to AB 361.
- 4. This resolution will be effective upon adoption.

I hereby certify that foregoing **Resolution No. 2022 -** was adopted by the San Bruno City Council at a regular meeting on April 12, 2022, by the following vote:

AYES:	Councilmembers:	
NOES:	Councilmembers:	
ABSENT:	Councilmembers:	
ATTEST:		
Melissa Thurman, MMC City Clerk		

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-29-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS the threat of COVID-19 has resulted in serious and ongoing economic harms, in particular to some of the most vulnerable Californians; and

WHEREAS time bound eligibility redeterminations are required for Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries to continue their benefits, in accordance with processes established by the Department of Social Services, the Department of Health Care Services, and the Federal Government; and

WHEREAS social distancing recommendations or Orders as well as a statewide imperative for critical employees to focus on health needs may prevent Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries from obtaining in-person eligibility redeterminations; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of

otherwise-applicable Medicaid time limits in emergency situations.

- 2. Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare an Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.
- 3. Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations:
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow

members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day

of Marc № 2020.

GAVINIMEWSOM T Governor of California

ATTEST:

ALEX PADILLA Secretary of State

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-08-21

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS since March 2020, the State has taken decisive and meaningful actions to reduce the spread, and mitigate the impacts, of COVID-19, saving an untold number of lives; and

WHEREAS as a result of the effective actions Californians have taken, as well as the successful and ongoing distribution of COVID-19 vaccines, California is turning a corner in its fight against COVID-19; and

WHEREAS on June 11, 2021, I issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20, issued on March 19, 2020), as well as the framework for a gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020); and

WHEREAS in light of the current state of the COVID-19 pandemic in California, it is appropriate to roll back certain provisions of my COVID-19-related Executive Orders: and

WHEREAS certain provisions of my COVID-19 related Executive Orders currently remain necessary to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic, including California's ongoing vaccination programs, and the termination of certain provisions of my COVID-19 related Executive Orders during this stage of the emergency would compound the effects of the emergency and impede the State's recovery by disrupting important governmental and social functions; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would continue to prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

The following provisions shall remain in place and shall have full force and effect through June 30, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-08-21

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS since March 2020, the State has taken decisive and meaningful actions to reduce the spread, and mitigate the impacts, of COVID-19, saving an untold number of lives; and

WHEREAS as a result of the effective actions Californians have taken, as well as the successful and ongoing distribution of COVID-19 vaccines, California is turning a corner in its fight against COVID-19; and

WHEREAS on June 11, 2021, I issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20, issued on March 19, 2020), as well as the framework for a gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020); and

WHEREAS in light of the current state of the COVID-19 pandemic in California, it is appropriate to roll back certain provisions of my COVID-19-related Executive Orders: and

WHEREAS certain provisions of my COVID-19 related Executive Orders currently remain necessary to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic, including California's ongoing vaccination programs, and the termination of certain provisions of my COVID-19 related Executive Orders during this stage of the emergency would compound the effects of the emergency and impede the State's recovery by disrupting important governmental and social functions; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would continue to prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

The following provisions shall remain in place and shall have full force and effect through June 30, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

- 1) State of Emergency Proclamation dated March 4, 2020:
 - a. Paragraph 10. Any facility operating under a waiver pursuant to this provision, memorialized in an All Facilities Letter, may operate pursuant to such a waiver through the stated expiration in the All Facilities Letter or September 30, 2021, whichever occurs first;
 - b. Paragraph 11;
 - c. Paragraph 12; and
 - d. Paragraph 13.
- 2) Executive Order N-25-20:
 - a. Paragraph 1; and
 - b. Paragraph 7, and as applicable to local governments per Executive Order N-35-20, Paragraph 3. Effective July 1, 2021, the waivers in Executive Order N-25-20, Paragraph 7, and Executive Order N-35-20, Paragraph 3, of reinstatement requirements set forth in Government Code sections 7522.56(f) and (g) are terminated.
- 3) Executive Order N-26-20:
 - a. Paragraph 1;
 - b. Paragraph 2;
 - c. Paragraph 3;
 - d. Paragraph 5;
 - e. Paragraph 6; and
 - f. Paragraph 7.
- 4) Executive Order N-27-20:
 - a. Paragraph 1;
 - b. Paragraph 2; and
 - c. Paragraph 3.
- 5) Executive Order N-28-20:
 - a. Paragraph 3; and
 - b. Paragraph 6.
- 6) Executive Order N-31-20:
 - a. Paragraph 1; and
 - b. Paragraph 2.
- 7) Executive Order N-35-20:
 - a. Paragraph 1. Any facility operating under a waiver pursuant to this provision, memorialized in an All Facilities Letter, may operate pursuant to such a waiver through the stated expiration in the All Facilities Letter or September 30, 2021, whichever occurs first;
 - b. Paragraph 4;
 - c. Paragraph 6. To the extent the Director exercised their authority pursuant to this provision on or before June 30, 2021, the extension shall remain valid until the effective expiration;

- d. Paragraph 10. The State Bar shall receive the time extension in the aforementioned order for any nomination submitted to the State Bar by the Governor on or before June 30, 2021; and
- e. Paragraph 11 (as extended and clarified by N-71-20, Paragraph 6). Claims accruing before June 30, 2021 will remain subject to the 120-day extension granted in the aforementioned orders.
- 8) Executive Order N-36-20, Paragraph 1. To the extent the Secretary exercised their authority pursuant to this provision, the Secretary shall allow each facility to resume intake in a manner that clears intake backlog as soon as feasible.
- 9) Executive Order N-39-20:
 - a. Paragraph 1. Any facility operating under a waiver pursuant to this provision, memorialized in an All Facilities Letter, may operate pursuant to such a waiver through the stated expiration in the All Facilities Letter or September 30, 2021, whichever occurs first;
 - b. Paragraph 4; and
 - c. Paragraph 7. The leases or agreements executed pursuant to this provision shall remain valid in accordance with the term of the agreement.
- 10) Executive Order N-40-20:
 - a. Paragraph 1. For rulemakings published in the California Regulatory Notice Register pursuant to Government Code section 11346.4(a)(5) prior to June 30, 2021, the deadlines in the aforementioned order shall remain extended in accordance with the order;
 - b. Paragraph 2 (as extended and clarified by N-66-20, Paragraph 12, and N-71-20, Paragraph 10). Notwithstanding the expiration of this provision, state employees subject to these training requirements shall receive the benefit of the 120-day extension granted by the aforementioned orders. All required training due on or before June 30, 2021 must be completed within 120 days of the statutorily prescribed due date;
 - c. Paragraph 7 (as extended and clarified by N-66-20, Paragraph 13 and N-71-20, Paragraph 11). With regard to appeals received on or before June 30, 2021, the State Personnel Board shall be entitled to the extension in the aforementioned order to render its decision;
 - d. Paragraph 8. To the extent the deadlines specified in Government Code section 22844 and California Code of Regulations, title 2, sections 599.517 and 599.518 fell on a date on or before June 30, 2021 absent the extension, they shall expire pursuant to the timeframes specified in the aforementioned orders;
 - e. Paragraph 16;
 - f. Paragraph 17; and
 - g. Paragraph 20.
- 11) Executive Order N-45-20:
 - a. Paragraph 4;
 - b. Paragraph 8;
 - c. Paragraph 9; and

- d. Paragraph 12. For vacancies occurring prior to June 30, 2021, the deadline to fill the vacancy shall remain extended for the time period in the aforementioned order.
- 12) Executive Order N-46-20:
 - a. Paragraph 1; and
 - b. Paragraph 2.
- 13) Executive Order N-47-20:
 - a. Paragraph 2; and
 - b. Paragraph 3.
- 14) Executive Order N-48-20, Paragraph 2 (which clarified the scope of N-34-20).
- 15) Executive Order N-49-20:
 - a. Paragraph 1;
 - Paragraph 3. For determinations made on or before June 30, 2021, the discharge date shall be within 14 days of the Board's determination; and
 - c. Paragraph 4.
- 16) Executive Order N-50-20, Paragraph 2.
- 17) Executive Order N-52-20:
 - a. Paragraph 6;
 - b. Paragraph 7. To the extent an individual has commenced a training program prior to June 30, 2021, that was interrupted by COVID-19, that individual shall be entitled to the extended timeframe in the aforementioned order; and
 - c. Paragraph 14; and
 - d. Paragraph 16.
- 18) Executive Order N-53-20:
 - a. Paragraph 3;
 - b. Paragraph 12 (as extended or modified by N-69-20, Paragraph 10, and N-71-20, Paragraph 27); and
 - c. Paragraph 13 (as extended or modified by N-69-20, Paragraph 11, and N-71-20, Paragraph 28).
- 19) Executive Order N-54-20, Paragraph 7. To the extent the date governing the expiration of registration of vehicles previously registered in a foreign jurisdiction falls on or before June 30, 2021, the deadline is extended pursuant to the aforementioned orders.
- 20) Executive Order N-55-20:
 - a. Paragraph 1. Statutory deadlines related to cost reports, change in scope of service requests, and reconciliation requests occurring on

or before June 30, 2021 shall remain subject to the extended deadline in the aforementioned order;

- b. Paragraph 4;
- c. Paragraph 5;
- d. Paragraph 6;
- e. Paragraph 8;
- f. Paragraph 9;
- g. Paragraph 10;
- h. Paragraph 13;
- Paragraph 14. Statutory deadlines related to beneficiary risk assessments occurring on or before June 30, 2021 shall remain subject to the extended deadline in the aforementioned order; and
- j. Paragraph 16. Deadlines for fee-for-service providers to submit information required for a Medical Exemption Request extended on or before June 30, 2021 shall remain subject to the extended deadline granted under the aforementioned order.

21) Executive Order N-56-20:

- a. Paragraph 1;
- b. Paragraph 6;
- c. Paragraph 7;
- d. Paragraph 8;
- e. Paragraph 9; and
- f. Paragraph 11.
- 22) Executive Order N-59-20, Paragraph 6.
- 23) Executive Order N-61-20:
 - a. Paragraph 1;
 - b. Paragraph 2;
 - c. Paragraph 3; and
 - d. Paragraph 4.

24) Executive Order N-63-20:

- a. Paragraph 8(a) (as extended by N-71-20, Paragraph 40). The deadlines related to reports by the Division of Occupational Safety and Health (Cal/OSHA) and the Occupational Safety & Health Standards Board on proposed standards or variances due on or before June 30, 2021 shall remain subject to the extended timeframe;
- b. Paragraph 8(c). To the extent the date upon which the Administrative Director must act upon Medical Provider Network applications or requests for modifications or reapprovals falls on or before June 30, 2021 absent the extension in the aforementioned order, it shall remain subject to the extended timeframe;
- c. Paragraph 8(e). To the extent filing deadlines for a Return-to-Work Supplement appeal and any reply or responsive papers fall on or before June 30, 2021, absent the extension in the aforementioned order, they shall remain subject to the extended timeframe;
- d. Paragraph 9(a) (as extended and modified by N-71-20, Paragraph 39). Any deadline setting the time for the Labor Commissioner to

issue any citation under the Labor Code, including a civil wage and penalty assessment pursuant to Labor Code section 1741, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;

- e. Paragraph 9(b) (as extended and modified by N-71-20, Paragraph 41);
- f. Paragraph 9(c) (as extended and modified by N-71-20, Paragraph 39). Any deadline setting the time for a worker to file complaints and initiate proceedings with the Labor Commissioner pursuant to Labor Code sections 98, 98.7, 1700.44, and 2673.1, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;
- g. Paragraph 9(d) (as extended and modified by N-71-20, Paragraph 39). Any deadline setting the time for Cal/OSHA to issue citations pursuant to Labor Code section 6317, that, absent the aforementioned order, would have occurred or would occur between May 7, 2020 and September 29, 2021 shall be extended to September 30, 2021. Any such deadline that, absent the aforementioned order, would occur after September 29, 2021 shall be effective based on the timeframe in existence before the aforementioned order;
- h. Paragraph 9(e) (as extended and modified by N-71-20, Paragraph 41);
- i. Paragraph 10;
- Paragraph 12. Any peace officer reemployed on or before June 30, 2021 pursuant to the aforementioned order shall be entitled to the extended reemployment period set forth in the order;
- k. Paragraph 13;
- I. Paragraph 14; and
- m. Paragraph 15 (as extended by N-71-20, Paragraph 36).

25) Executive Order N-65-20:

- a. Paragraph 5 (as extended by N-71-20, Paragraph 35; N-80-20, Paragraph 4; and N-01-21). Identification cards issued under Health and Safety Code section 11362.71 that would otherwise have expired absent the aforementioned extension between March 4, 2020 and June 30, 2021 shall expire on December 31, 2021; and
- b. Paragraph 7.

26) Executive Order N-66-20:

- a. Paragraph 3;
- b. Paragraph 4; and
- c. Paragraph 5.

27) Executive Order N-68-20:

- a. Paragraph 1. Notwithstanding the expiration of the aforementioned order, temporary licenses granted on or before June 30, 2021 shall be valid through September 30, 2021; and
- b. Paragraph 2. Renewal fee payments otherwise due to the to the California Department of Public Health absent the extension in the aforementioned order on or before June 30, 2021, shall be entitled to the extensions of time set forth in the aforementioned order.

28) Executive Order N-71-20:

- a. Paragraph 1;
- b. Paragraph 4;
- c. Paragraph 16. Where the statutory deadline for opening or completing investigations is set to occur on or before June 30, 2021, the deadline shall remain subject to the extension in the aforementioned order; and
- d. Paragraph 17. Where the statutory deadline for serving a notice of adverse action is due on or before June 30, 2021, the deadline shall remain subject to the extension in the aforementioned order.

29) Executive Order N-75-20:

- a. Paragraph 7. Children placed in foster care on or before June 30, 2021 shall receive such examinations on or before July 31, 2021;
- b. Paragraph 8;
- c. Paragraph 9;
- d. Paragraph 10. Any facility operating under a waiver pursuant to this provision may operate pursuant to such a waiver through the expiration as set forth by the California Department of Public Health, or September 30, 2021, whichever occurs first; and
- e. Paragraph 13.
- 30) Executive Order N-76-20, Paragraph 3.
- 31) Executive Order N-77-20:
 - a. Paragraph 1;
 - b. Paragraph 2; and
 - c. Paragraph 3.
- 32) Executive Order N-78-20 (as extended and modified by N-03-21):
 - a. Paragraph 1; and
 - b. Paragraph 2.
- 33) Executive Order N-83-20:
 - a. Paragraph 3. To the extent the Director of the Department of Alcoholic Beverage Control suspends deadlines for renewing licenses upon payment of annual fees on or before June 30, 2021, the extension shall remain valid until the effective expiration;

- b. Paragraph 5 (which repealed and replaced N-71-20, Paragraph 19, which extended N-52-20, Paragraph 1, and N-69-20, Paragraph 3);
- c. Paragraph 6 (which repealed and replaced N-71-20, Paragraph 20, which extended N-52-20, Paragraph 2, and N-69-20, Paragraph 4); and
- d. Paragraph 7 (which repealed and replaced N-71-20, Paragraph 21, which extended N-52-20, Paragraph 3, and N-69-20, Paragraph 5).
- 34) Executive Order N-84-20:
 - a. Paragraph 1;
 - b. Paragraph 2;
 - c. Paragraph 3; and
 - d. Paragraph 5.

The following provisions shall remain in place and shall have full force and effect through July 31, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

- 35) Executive Order N-39-20, Paragraph 8 (as extended by N-69-20, Paragraph 2 and N-71-20, Paragraph 8).
- 36) Executive Order N-53-20, Paragraph 11 (as extended or modified by N-68-20, Paragraph 15, and N-71-20, Paragraph 26).
- 37) Executive Order N-71-20, Paragraph 25.
- 38) Executive Order N-75-20:
 - a. Paragraph 5; and
 - b. Paragraph 6

The following provisions shall remain in place and shall have full force and effect through September 30, 2021, upon which time they will expire subject to individual conditions described in the enumerated paragraphs below.

- 39) State of Emergency Proclamation dated March 4, 2020:
 - a. Paragraph 3; and
 - b. Paragraph 14. Any facility operating under a waiver pursuant to this provision may operate pursuant to such a waiver through the expiration as set forth by the Department of Social Services, or September 30, 2021, whichever occurs first.
- 40) Executive Order N-25-20:
 - a. Paragraph 2;
 - b. Paragraph 3; and
 - c. Paragraph 4.
- 41) Executive Order N-28-20:
 - a. Paragraph 4; and
 - b. Paragraph 5.

42) Executive Order N-29-20, Paragraph 3, is withdrawn and replaced by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location:
- (iv) state and local bodies post agendas at all teleconference locations:
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

All of the foregoing provisions concerning the conduct of public meetings shall apply through September 30, 2021.

- 43) Executive Order N-32-20:
 - a. Paragraph 1;
 - b. Paragraph 2; and
 - c. Paragraph 3.
- 44) Executive Order N-35-20:
 - a. Paragraph 2; and
 - b. Paragraph 12.
- 45) Executive Order N-39-20:
 - a. Paragraph 2;
 - b. Paragraph 3; and
 - c. Paragraph 6.

- 46) Executive Order N-40-20:
 - a. Paragraph 12 (as extended or modified by N-66-20, paragraph 16, N-71-20, paragraph 14, and N-75-20, Paragraph 12). To the extent the Director exercised their authority pursuant to this provision on or before September 30, 2021, the extension shall remain valid until the effective expiration of the applicable waiver; and
 - b. Paragraph 18.
- 47) Executive Order N-42-20.
- 48) Executive Order N-43-20.
- 49) Executive Order N-49-20, Paragraph 2.
- 50) Executive Order N-54-20:
 - a. Paragraph 8 (as extended by N-80-20, Paragraph 6); and
 - b. Paragraph 9. To the extent any timeframe within which a California Native American tribe must request consultation and the lead agency must begin the consultation process relating to an Environmental Impact Report, Negative Declaration, or Mitigated Negative Declaration under the California Environmental Quality Act extends beyond September 30, 2021, the tribe and lead agency will receive the benefit of the extension so long as the triggering event occurred on or before September 30, 2021.
- 51) Executive Order N-55-20:
 - a. Paragraph 2;
 - b. Paragraph 3;
 - Paragraph 7. All on-site licensing visits which would have been due on or before September 30, 2021 shall occur before December 31, 2021;
 - d. Paragraph 11; and
 - e. Paragraph 12.
- 52) Executive Order N-56-20, Paragraph 10 is withdrawn and superseded by the following text:

Paragraph 42 of this Order, including the conditions specified therein, shall apply to meetings held pursuant to Article 3 of Chapter 2 of Part 21 of Division 3 of Title 2 of the Education Code and Education Code section 47604.1(b).

- 53) Executive Order N-58-20 (as extended by N-71-20, Paragraph 29).
- 54) Executive Order N-59-20:
 - a. Paragraph 1. The sworn statement or verbal attestation of pregnancy must be submitted on or before September 30, 2021 and medical verification of pregnancy must be submitted within 30

- working days following submittal of the sworn statement or verbal attestation for benefits to continue;
- b. Paragraph 2 (as extended and modified by N-69-20, Paragraph 14, and N-71-20, Paragraph 31);
- c. Paragraph 3 (as extended and modified by N-69-20, Paragraph 15, and N-71-20, Paragraph 32); and
- d. Paragraph 4 (as extended and modified by N-69-20, Paragraph 16, and N-71-20, Paragraph 33).
- 55) Executive Order N-63-20:
 - a. Paragraph 8(b). To the extent filing deadlines for claims and liens fall on or before September 30, 2021, absent the extension in the aforementioned order, they shall remain subject to the extended timeframe; and
 - b. Paragraph 11.
- 56) Executive Order N-66-20, Paragraph 6.
- 57) Executive Order N-71-20:
 - a. Paragraph 15;
 - b. Paragraph 22; and
 - c. Paragraph 23.
- 58) Executive Order N-75-20:
 - a. Paragraph 1;
 - b. Paragraph 2; and
 - c. Paragraph 4.
- 59) Executive Order N-80-20:
 - a. Paragraph 3; and
 - b. Paragraph 7.
- 60) Executive Order N-83-20
 - a. Paragraph 2 is withdrawn and replaced by the following text:

The deadline to pay annual fees, including any installment payments, currently due or that will become due during the proclaimed emergency, as specified in Business and Professions Code sections 19942, 19951, 19954, 19955, 19984, and any accompanying regulations is September 30, 2021; the deadlines for submission of any application or deposit fee, as specified in Business and Professions Code sections 19951 (a), 19867, 19868, 19876, 19877, 19942, 19984, and any accompanying regulations is no later than September 30, 2021, or per existing requirements, whichever date is later.

b. Paragraph 4.

61) Executive Order N-03-21, Paragraph 3, is withdrawn and replaced by the following text:

As applied to commercial evictions only, the timeframe for the protections set forth in Paragraph 2 of Executive Order N-28-20 (and extended by Paragraph 21 of Executive Order N-66-20, Paragraph 3 of Executive Order N-71-20, and Paragraph 2 of Executive Order N-80-20) is extended through September 30, 2021.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 11th day of June 2021.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D. Secretary of State

AMENDED IN SENATE SEPTEMBER 3, 2021

AMENDED IN SENATE AUGUST 30, 2021

AMENDED IN SENATE JULY 6, 2021

AMENDED IN ASSEMBLY MAY 10, 2021

AMENDED IN ASSEMBLY APRIL 6, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 361

Introduced by Assembly Member Robert Rivas

February 1, 2021

An act to *add and repeal Section 89305.6 of the Education Code,* and to amend, repeal, and add Section 54953—of of, and to add and repeal Section 11133 of, the Government Code, relating to—local government, open meetings, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 361, as amended, Robert Rivas. Open meetings: *state and* local agencies: teleconferences.

Existing

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special

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meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

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This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a-state *legislative* body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The

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act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

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This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

This

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to *state and* local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

This

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

The

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

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(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect. This

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no-yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 89305.6 is added to the Education Code, 2 to read:
 - 89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.
 - (b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.
 - (2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:
 - (A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.
 - (B) Each teleconference location be accessible to the public.
- 23 (C) Members of the public may address the legislative body at 24 each teleconference conference location.
 - (D) Post agendas at all teleconference locations.

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(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

- (c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.
- (d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:
- (1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.
- (2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).
- (e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:
- (1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.
- (2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without

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also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

- (f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.
- (g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.
- SEC. 2. Section 11133 is added to the Government Code, to read:
- 11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.
- (b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.
- (2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:
- (A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.
 - (B) Each teleconference location be accessible to the public.
- *(C) Members of the public may address the state body at each* 39 *teleconference conference location.*
 - (D) Post agendas at all teleconference locations.

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(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

- (c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.
- (d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:
- (1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.
- (2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).
- (e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:
- (1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.
- (2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and

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comment, a state body may satisfy this requirement by advertising 2 the means of public observation and comment using the most rapid 3 means of communication available at the time. Advertising the 4 means of public observation and comment using the most rapid 5 means of communication available at the time shall include, but 6 need not be limited to, posting such means on the state body's 7 internet website.

- (f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body
- (g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SECTION 1.

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- SEC. 3. Section 54953 of the Government Code is amended to read:
- 54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

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agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

- (4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.
- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the

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number and access codes are identified in the notice and agendaof the meeting.

- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.
- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.
- (e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:
- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B) (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

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(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

- (B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.
- (D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.
- (E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may

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be required to register as required by the third-party internet website or online platform to participate.

- (G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.
- (ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.
- (iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.
- (3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
- (A) The legislative body has reconsidered the circumstances of the state of emergency.
 - (B) Any of the following circumstances exist:
- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.
- (4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).
- 39 (f) This section shall remain in effect only until January 1, 2024, 40 and as of that date is repealed.

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SEC. 1.1.

1 2

SEC. 3.1. Section 54953 of the Government Code is amended to read:

- 54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to,—the any applicable language access and other nondiscrimination—obligations of Section 11135 and Subchapter V (commencing with Section 2000d) of Chapter 21 of Title 42 of the United States Code. obligations.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

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(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.
- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

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(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

- (e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:
- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B) (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:
- (A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.
- (B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda

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shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

- (C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.
- (D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.
- (E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.
- (G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.
- (ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda

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item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

- (iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.
- (3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
- (A) The legislative body has reconsidered the circumstances of the state of emergency.
 - (B) Any of the following circumstances exist:
- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.
- (4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).
- (f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 2.

- SEC. 4. Section 54953 is added to the Government Code, to read:
- 54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.
- 38 (b) (1) Notwithstanding any other provision of law, the 39 legislative body of a local agency may use teleconferencing for 40 the benefit of the public and the legislative body of a local agency

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in connection with any meeting or proceeding authorized by law.
 The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.
- (4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter

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3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.
- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.
- 34 (e) This section shall become operative January 1, 2024.
- 35 SEC. 2.1.

- 36 SEC. 4.1. Section 54953 is added to the Government Code, to read:
- 54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in

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person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to,—the any applicable language access and other nondiscrimination—obligations of Section 11135 and Subchapter V (commencing with Section 2000d) of Chapter 21 of Title 42 of the United States Code. obligations.

- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.
- (4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

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(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.
- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.
- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to

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Chapter 2.2 (commencing with Section 1340) of Division 2 of the

- 2 Health and Safety Code if the advisory committee has 12 or more 3 members.
- 4 (e) This section shall become operative January 1, 2024.
- 5 SEC. 3.
- 6 SEC. 5. Sections 1.1 3.1 and 2.1 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed 8 by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and 10 become effective on or before January 1, 2022, but this bill 11 becomes operative first, (2) each bill amends Section 54953 of the 12 Government Code, and (3) this bill is enacted after Assembly Bill 13 339, in which case Section 54953 of the Government Code, as 14 amended by Sections + 3 and 24 of this bill, shall remain operative 15 only until the operative date of Assembly Bill 339, at which time 16 Sections 1.1 3.1 and 2.1 4.1 of this bill shall become operative.

17 SEC. 4.

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SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 5.

- SEC. 7. The Legislature finds and declares that Sections-1 3 and 2 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:
- 36 This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public 38 participation in teleconference meetings during applicable 39 emergencies.

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SEC. 8. (a) The Legislature finds and declares that during the 2 COVID-19 public health emergency, certain requirements of the 3 Bagley-Keene Open Meeting Act (Article 9 (commencing with 4 Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of 5 the Government Code) were suspended by Executive Order 6 N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased 10 public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting 12 locations, have protected the health and safety of civil servants 13 and the public, and have reduced travel costs incurred by members 14 of state bodies and reduced work hours spent traveling to and from meetings.

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- (b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code. Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:
- (1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.
- (2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

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1 SEC. 6.

2 SEC. 9. This act is an urgency statute necessary for the 3 immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall 5 go into immediate effect. The facts constituting the necessity are: 6 In order to ensure that state and local agencies can continue holding public meetings while providing essential services like 7 8 water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that 10 this act take effect immediately.

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City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan Grogan, City Manager

PREPARED BY: Jennifer Dianos, Assistant to the City Manager

SUBJECT: Receive Written Update on the City's Response Efforts to COVID-19

BACKGROUND: This report is to provide an update on the City's response efforts to COVID-19, while the Emergency Operations Center (EOC) is activated. The information provided in this report is as of the time it was produced and may be subject to change.

DISCUSSION: San Mateo County Health provides regular COVID-19 statistic dashboards through their website, smchealth.org. San Mateo County Health reports as of Mar. 31, 2022, there were a total of 138 cases within the last 30 days in the City of San Bruno; and as of Apr. 3, 2022, approximately 96.4% of San Bruno residents age 5+ are vaccinated. Additional statistics are attached to this report.

There are no new operational modifications of City services to report to the City Council.

STAY HEALTHY

1. Get Vaccinated. Appointments can be made at myturn.ca.gov or 1-833-422-4255.

Residents 50+ and those that are immunocompromised are eligible for a second COVID-19 booster, as long as 4 months have passed since their first booster. At this time, appointments are not required at most County clinics – however they are highly recommended.

2. Get Tested. No-cost PCR testing is available at the Curative kiosk located at Narita Plaza, located between San Bruno City Hall and San Bruno Library. Appointments can be made at cur.tv/Sanbruno or 888-702-9042.

Other no-cost County testing sites located throughout San Mateo County can be found at smcgov.org/testing.

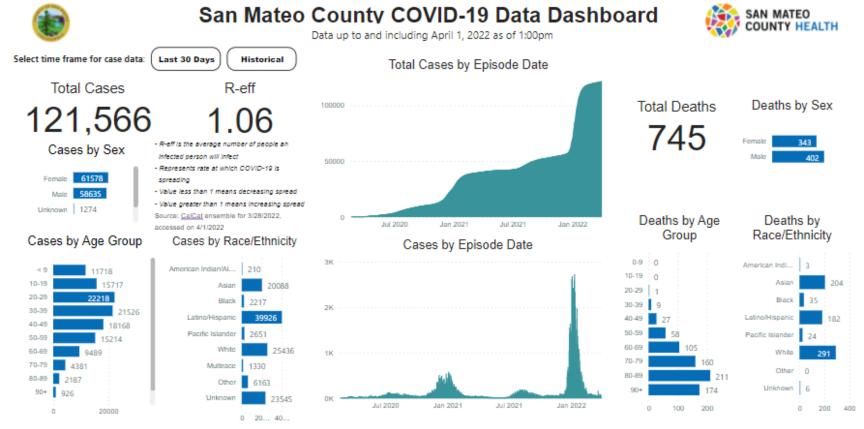
FISCAL IMPACT: There is no fiscal impact associated with this update.

ENVIRONMENTAL IMPACT: There is no environmental impact.

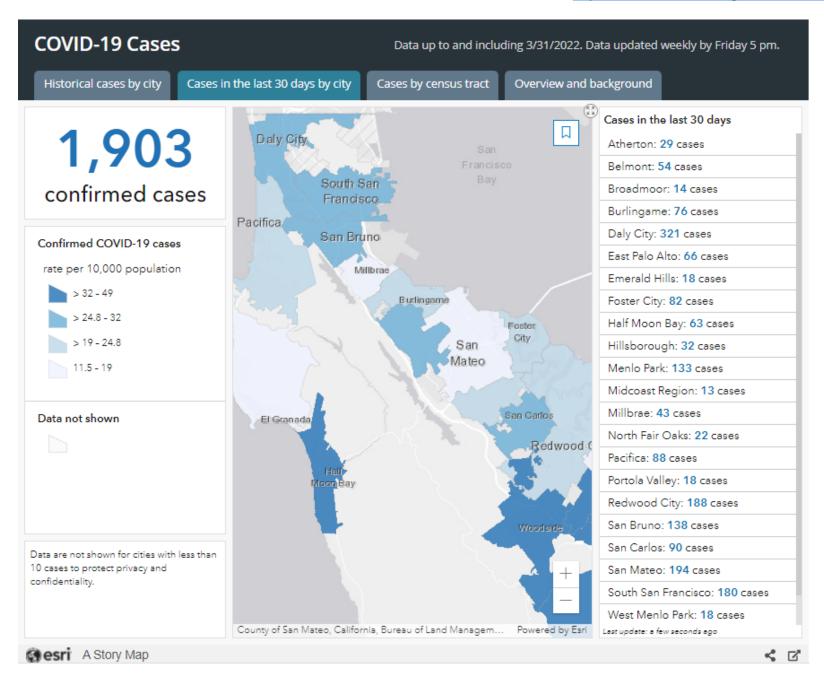
RECOMMENDATION: Receive Written Update on the City's Response Efforts to COVID-19

ALTERNATIVES: The City of San Bruno's Emergency Operations Center remains activated and there are no alternatives proposed at this time.

ATTACHMENTS: 1. San Mateo County Health Department COVID-19 Data Dashboard



Because of limited testing capacity, the number of cases detected through testing represents only a small portion of the total number of likely cases in the County. COVID-19 data are reported as timely, accurately, and completely as we have available. Data are updated as we receive information that is more complete and will change over time as we learn more. Cases are lab-confirmed COVID-19 cases reported to San Mateo County Public Health by providers, commercial laboratories, and academic laboratories, including reporting results through the California Reportable Disease Information Exchange. A lab-confirmed case is defined as detection of SARS-CoV-2 RNA in a clinical specimen using a molecular amplification detection test. Cases are counted by episode date; episode date; episode date is defined as the earliest of: case symptom onset date, sample collection date, date of laboratory result, or date of death. Deaths reported in this dashboard include only San Mateo County residents; death data last updated March 31, 2022.



COVID 19 Vaccinations of San Mateo County Residents as of 4/3/2022 **\$** 694,137 %5+ Vaccinated Vaccinations by city are calculated by geocoding and aggregating self-reported addresses by city town. In instances where geocoding is not possible (due to missing street addresses), counts of self-Half Moon Bay: 100.0% reported city of residence are aggregated with counts of geocoded addresses. Vaccinations with Individuals with at least 1 dose addresses that are not successfully geocoded or where city of residence is missing cannot be assigned Hillsborough: 99.7% to a corresponding city. For geographies with smaller populations, such as Pescadero, there is some La Honda*: 100.0% likely inaccuracy in calculated vaccination rates due to geocoding errors and instability of vaccination COVID 19 Vaccinations counts and population counts. Please interpret this map with caution Ladera*: 100.0% %5+ Vaccinated Loma Mar*: 100.0% 뎺 > 95 - 100 Menlo Park: 100.0% Midcoast Region: 90.4% > 90 - 95 South San Millbrae: 98.5% North Fair Oaks: 92.7% Pacifica Top 20 Vaccinated Cities (%5+ Pacifica: 90.9% San Bruno Vaccinated) Pescadero*: 100,0% Millbras Portola Valley: 100.0% 00.0% 00.0% Burlingeme Redwood City: 99.4% Burlingame Sen Cerlos 00.0% 00.0% San Bruno: 96.4% 00.0% Emerald Hills San Carlos: 100.0% 100.0% Woodside Son Motoo 100.0% San Mateo: 100.0% 100.0% Percedent* South San Francisco: 91,5% 100.0% Portole Velley 00.0% West Menlo Park: 92,2% Menle Ferk 100.0% Woodside: 100.0% Half Moon Bay 100.0% Redwood Lome Mer* 100.0% 100.0% Ledere* Click here for vaccination rates for 10+, 16+, and 65+ 99.8% 99.7% Hillsborough 99,4% *Population estimates are less precise for towns with small Redwood City populations. The vaccine eligible population may be higher or lower Millbree than the ACS estimate. 6 km County Population 5+ years: 735,951 4 mi 100.0% Note About County of San Mateo, California, Bureau of Land Managem... Powered by Esri

Total Individuals Vaccinated **COVID 19 Vaccinations of San Mateo County Residents** Vaccinations for San Mateo County residents are reported to SMC Public Health via the California Immunization Registry (CAIR2). COVID-19 vaccine administration data are reported as timely, accurately, and completely as data become available. Previous data will change as new and updated data are received. Vaccine Doses Administered by Date Vaccines Administered By 4/3/2022 ■ Vaccine Doses Administered ■ Cumulative Vaccine Doses Administered KAISER PERMANENTE NCAL County Population: 774,990 201,424 County Population 5+ years: 735,951 SAN MATEO COUNTY HEALTH 184,631 %5+ years Vaccinated: 94.3% 1,500,000 WALGREEN CO County Population 12+ years: 672,183 SUTTER / PAME %12+ years Vaccinated: 96.9% 1,000,000 STANFORD HOSPITALS AND CLINICS **Date Administered** OSITA HEALTH CLINIC from 500,000 SAFEWAY, VONS, PAVILIONS 8/1/2020 SAN MATEO MEDICAL CENTER Apr 2021 Jul 2021 Jan 2022 COMMUNITY VACCINATION CENT... Note: Vaccine Doses Administered by Date includes any doses administered to residents. KAISER NC - MOSCONE CENTER C ... Vaccine Series Completed and Additional/Booster Doses by Date Individuals Who Completed Vaccination Series DIGNITY HEALTH 🔷 Vaccine Series Completed 🌑 Additional/Booster Doses 🌕 Cumulative Vaccine Series Completed 🖜 Cumulative Additional/Booster Doses 643,622 RAVENSWOOD FAMILY HEALTH CE... ZSFG - SF DEPT OF PUBLIC HEALTH CITY COLLEGE SAN FRANCISCO MA... 1,500,000 PMCA FAMILYMED IMM CLINIC SA... % Completed Vaccination Series COSTCO 11,724 LUCKY PHARMACY 11,064 1,000,000 200,000 500,000 Vaccines Administered 100.0% Total Vaccine Doses Administered Pfizer 1,107,703 1,734,641 Note: Vaccination Series Completed represents those who have received the second dose of a two dose vaccine (Pfizer and Moderna) and Moderna who have received one dose of a single dose vaccine (Janssen). Additional/Booster Doses include additional doses for Janssen 49,701 individuals and booster doses. Data for boosters and vaccination of 5-11 year olds are preliminary and Unknown subject to revision. Vaccinations administered as part of federal health care organizations or programs such as the Department of Veterans Affairs (VA) report to federal immunization systems, may not report into 500,000 1,000,000 CAIR2, and may not be included in vaccination numbers on the dashboard.



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Matthew Lee, Director

SUBJECT: Adopt Resolution Related to the Emergency Replacement of the San

Bruno Senior Center Chiller Unit: • Ratifying the Emergency Replacement Declaration of the Chiller Unit at the San Bruno Senior Center Authorized by the City Manager on March 30, 2022; • Waiving Competitive Bidding Requirements Pursuant to State Law and the San Bruno Municipal Code Due to the Existence of an Emergency; • Authorizing the City Manager to

Execute Necessary Contracts to Mitigate the Emergency and to Appropriate Such Funds from the Building and Facility Fund Balance

BACKGROUND: On March 28, 2022, the Public Works Department was contacted regarding an error message from the chiller unit used to cool the San Bruno Senior Center. Staff contacted a repair vendor to diagnose the alert by selecting a vendor from the Department's Pre-Qualified Vendor List. It was discovered that one of 4 compressors had failed within the chiller unit and a third compressor was faulting. When attempting to repair the compressors, the other compressors also failed. The cost to replace one compressor was not prudent as the unit exceeded its useful life cycle and the cost outweighed the benefit. The chiller unit is currently 35 years old and has an average life cycle of approximately 20 years.

Due to the Senior Centers importance within the community, with programs like the active lunch program and its potential use as a cooling center, staff determined the need for replacement was urgent for such a critical facility to the community. Failure to act quickly would result in the lack of cooling for the entire building during peak summer months. Given the chiller unit procurement timelines and potential global supply chain issues, it would be prudent to engage in ordering the unit and initiating the repairs immediately to meet the peak demands of the chiller unit this summer. The Public Works Department requested authorization to move forward with immediate replacement of the chiller unit.

Under municipal code section 2.44.120.A, the City Manager authorized the replacement. A memo was issued to the City Council on March 30, 2022 (Attachment 2).

DISCUSSION: Under normal non-emergency conditions, a project of this size (between \$60,000 and \$200,000) would require an informal bidding process per the California Public Contract Code Section 22032 - California Uniform Public Construction Cost Accounting Act. Due to the failure at a facility that runs critical programs for seniors, the potential use of the facility as a cooling center, the timelines needed to ensure the chiller unit is replaced in time for the summer months, the chiller unit procurement timelines, and potential global supply chain issues; staff determined that it would be prudent to waive informal bidding process for this emergency repair.

Although the informal bidding process was waived, staff selected a contractor from the City's 2022 Prequalified Contractors List. This is allowed under emergency authority municipal code section 2.44.120.A and the California Public Contract Code Section 20168 which authorizes the City Manager to take such action in an emergency. The California State law and the San Bruno Municipal code requires that when the City Managers waives the bidding requirements due to an emergency council will need a 4/5th approval to ratify the action, which declares the emergency repair, waive the informal bidding process, and authorize the execution of the contract.

FISCAL IMPACT: The cost for this emergency replacement was \$117,161 and staff utilized the Building and Facility Fund Balance to establish a Purchase Order for the work

ENVIRONMENTAL IMPACT: The action is not a project subject to CEQA. City Council's action is not considered a "Project" per CEQA Guidelines and therefore no further environmental analysis is required.

RECOMMENDATION: Adopt Resolution Related to the Emergency Replacement of the San Bruno Senior Center Chiller Unit:

- Ratifying the Emergency Replacement Declaration of the Chiller Unit at the San Bruno Senior Center Authorized by the City Manager on March 30, 2022;
- Waiving Competitive Bidding Requirements Pursuant to State Law and the San Bruno Municipal Code Due to the Existence of an Emergency;
- Authorizing the City Manager to Execute Necessary Contracts to Mitigate the Emergency and to Appropriate Such Funds from the Building and Facility Fund Balance

ALTERNATIVES:

- 1. Reject staff's recommendation to ratify the emergency declaration, waive informal bidding, and authorization of contract.
- 2. Direct changes at the Dias to the resolution to ratify only a portion of the staff recommendation.

ATTACHMENTS:

- 1. Resolution
- 2. Authorization Request Memo dated March 29, 2022

RESOLUTION NO. 2022-

RESOLUTION:

- RATIFYING THE EMERGENCY REPLACEMENT DECLARATION FOR THE CHILLER UNIT AT THE SAN BRUNO SENIOR CENTER AUTHORIZED BY THE CITY MANAGER ON MARCH 30, 2022;
- WAIVING COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO STATE LAW AND THE SAN BRUNO MUNICIPAL CODE DUE TO EXISTENCE OF AN EMERGENCY;
- RATIFYING THE CITY MANAGER'S ACTION TO EXECUTE NECESSARY CONTRACTS TO MITITGATE THE EMERGENCY AND TO APPROPRIATE SUCH FUNDS FROM THE BUILDING AND FACILITIES FUND BALANCE

WHEREAS, On March 28, 2022, the Public Works Department was contacted regarding an error message from the chiller unit used to cool the San Bruno Senior Center; and

WHEREAS, Staff contacted a repair vendor by selecting a vendor from the Department's Pre-Qualified Vendor List; and

WHEREAS, When attempting to repair the compressors, the other compressors also failed; and

WHEREAS, Expending funds to replace one compressor was not prudent as the unit had already exceeded its useful life cycle and the cost outweighed the benefit; and

WHEREAS, Under normal non-emergency conditions, a project of this size (between \$60,000 and \$200,000) would require an informal bidding process per the California Public Contract Code Section 22032 - California Uniform Public Construction Cost Accounting Act; and

WHEREAS, Due to the failure at a facility that runs critical programs for seniors, the potential use of the facility as a cooling center, the timelines needed to ensure the chiller unit is replaced in time for the summer months, the chiller unit procurement timelines, and potential global supply chain issues, staff determined that it would be prudent to waive informal bidding process for this emergency repair; and

WHEREAS, This is allowed under emergency authority municipal code section 2.44.120(A) and the California Public Contract Code Section 20168 which authorizes the City Manager to take such action in an emergency; and

WHEREAS, California State law and the San Bruno Municipal Code requires that when the City Manager waives the bidding requirements due to an emergency, the City Council will need to ratify the action by a 4/5th vote, which declares the need for the emergency repair, waives the informal bidding process, and authorizes the execution of the contract; and

WHEREAS, The Public Works Department requested authorization to move forward with immediate replacement of the chiller unit; and

WHEREAS, Under Public Contracts Code section 20168 and Municipal Code section 2.44.120.A, the City Manager agreed to waive competitive bidding requirements and authorized the replacement; and

WHEREAS, A memo was issued to the City Council on March 30, 2022 as required by those sections.

NOW, THEREFORE, BE IT RESOLVED that the San Bruno City Council hereby:

- Ratifies the Emergency Replacement Declaration for the Chiller Unit at the San Bruno Senior Center Authorized by the City Manager on March 30, 2022;
- Waives Competitive Bidding Requirements Pursuant to State Law and the San Bruno Municipal Code Due to the Existence of an Emergency;
- Ratifies the City Manager's Action to Execute Necessary Contracts to Mitigate the Emergency and to Appropriate Such Funds from the Building and Facility Fund Balance

Dated: April 12, 2022

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I, Melissa Thurman, City Clerk, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Bruno this 12nd day of April 2022 by the following vote:

AYES:	Councilmembers:	
NOES:	Councilmembers	
ABSENT:	Councilmembers:	
ATTEST:		
Melissa Thu City Clerk	ırman, MMC	



INTEROFFICE MEMORANDUM

CITY OF SAN BRUNO

PUBLIC WORKS DEPARTMENT MAINTENANCE AND OPERATIONS

DATE:

March 29, 2022

TO:

Jovan Grogan, City Manager

FROM:

Matthew Lee. Public Works Director

SUBJECT:

EMERGENCY REPAIR REQUEST- Chiller Failure for the HVAC located at the

Senior Center - Currently No Cooling Capacity, Only Heating.

DESCRIPTION:

The City of San Bruno Public Works Dept. in collaboration with Matrix HG has determined that the existing HVAC chiller unit which provides cooling to the Senior Center has failed. The unit is comprised of 4 compressors which chill water to provide cooling for the entire building. All 4 compressors have failed and cannot be repaired.

BACKGROUND:

Recently, the Garage & Facilities Division was alerted to an error message on the chiller marque. As a result, a reputable HVAC repair vendor was called in to diagnose said alerts through the Public Works Department's Pre-Qualified Vendor List. It was discovered that one of 4 compressors has failed with a third faulting. It was determined that the cost to replace one compressor was not prudent as the unit has exceeded its useful life cycle in general and the cost outweighed the benefit. Average life cycle for an HVAC Chilling unit is ~20 years. The Chiller located at the Senior Center is currently 35 years old and has well exceed its intended life cycle. After careful considerations, repairs to one of the compressors was approved to restore 3 of the 4 compressors while concurrently a CIP was developed for full replacement in budget year 22-23. Upon return of the vendor to complete repairs, the two working compressors failed resulting in complete chiller failure, 4 of 4 compressors failed with a loss of cooling oil. Repairs were deemed impractical as other related components within the chiller unit are of similar age.

FISCAL IMPACT:

As a result, the Public Works Dept. has identified Matrix HG as a proven and qualified provider of these services on the Department's Pre-Qualified Vendor List. Thus, Matrix HG has issued a proposal to complete full replacement of said chiller unit at a cost of \$117,161 with an estimated manufacturing and shipping lead time of 3 to 4 months and 2 weeks for installation. The intent is to use fund balances of either or both the General fund and Facility fund to make the replacement.

REQUEST:

Jovan Grogan City Manager

Due to the Senior Centers importance within our community and its potential use as a cooling center, it is prudent we replace the chilling unit under emergency declaration and time is of the essence to complete this project prior to the start of summer. Failure to act quickly will result in the lack of cooling for the entire building during peak summer months. Per the municipal code below, the City is allowed to enact emergency repairs to take immediate action and report to council.

2.44.120.A The city manager must report such emergency to the city council no later than seven days after the action, or at the next regularly scheduled city council meeting, provided it is no later than fourteen days after the emergency action was taken. The city manager's report must explain why the action was necessary to respond to the emergency and why the emergency did not permit a delay resulting from a competitive solicitation for bids. The city council shall review the emergency action and determine by a four-fifth's vote whether such emergency action is still needed.

The Public Works Department requests authorization to move forward with this replacement of the chillers through Matrix HG. Your signature is requested below shall serve as authorization for us to proceed.

Authorization Signature for Public Works to Proceed as Requested Above.

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City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Jovan D. Grogan, City Manager

SUBJECT: Adopt Resolution Approving Agreement between the City of San Bruno

and the Police Bargaining Unit and Authorizing Execution by the City

Manager

BACKGROUND: The existing Memorandum of Understanding between the City of San Bruno and the Police Bargaining Unit expired on December 31, 2021. Representatives from the City and the bargaining unit met and conferred in good faith and have reached a tentative agreement extending their existing Memorandum of Understanding an additional four years through December 31, 2025. The tentative agreement was signed by the bargaining unit on March 22, 2022.

DISCUSSION: The attached Tentative Agreement for the Police Bargaining Unit will extend their current Memorandum of Understanding through December 31, 2025 based on factors identified during negotiations over the last seven months.

The City retained an independent consultant to conduct a total compensation survey of comparison agencies that was completed and reviewed with the union in October 2021. Total compensation for the group demonstrated that they were below the labor market median by 2.55%.

In addition to the total compensation survey of comparison agencies, the agreement's economic package was based on a variety of factors including inflation as measured by the Consumers Price Index, All Urban Consumers (CPI-U), for the San Francisco – Oakland – San Jose region. CPI-U in October 2021 was 3.8% for the region. Also taken into consideration was the 0% cost of living adjustment (COLA) received for the group in 2021. CPI-U in 2020 was 2%, the bargaining group received a 3% COLA. In 2019, CPI-U was 2.5% and the group received a 3% COLA in 2018, the group received a 3% COLA and 2% equity adjustment, CPI-U was 4.5%.

The tentative agreements include cost of living adjustments each year as follows:

- effective the first full pay period of January 2022, a 4% salary increase
- effective the first full pay period of January 2023, a 3% salary increase
- effective the first full pay period of January 2024, a 3% salary increase
- effective the first full pay period of January 2025, a 3% salary increase

In addition to cost-of-living adjustments (COLAs) over the course of the four-year period, the contract identifies specific classification assessments (Police Record Clerks and Public Safety Dispatchers and Community Service Officer assigned to digital and physical evidence) and an addition of a Police Corporal classification, special assignments pay and night shift differential aligned with other local jurisdictions and an extension of compensatory leave bank from 80 to 120 hours. Additional modifications of the contract include clean-up language.

Per official request by the union, the classifications of Code Enforcement Officer I, Code Enforcement Officer II and Senior Code Enforcement Officer are to be transitioned from the Miscellaneous Bargaining Unit, represented by Teamsters, Local #856 to the Police Bargaining Unit, also represented by Teamsters, Local #856.

Bargaining unit members will share in the cost for medical premium increases. The City will continue to pay 75% of the health care premium increase beginning January 1, 2022 and December 31, 2025.

The parties agreed to add the Retiree Plus Health Coverage to commence for all current employees who participate in the employee health plan effective January 1, 2021. Beginning January 1, 2022 through December 31, 2025 the City shall pay 75% and employee shall pay 25% of Retiree Plus Health Coverage premium.

FISCAL IMPACT: The FY 2021/2022 budget does not include funds for enhancements to employee salary and additional benefit costs over the fiscal year. The 4% wage adjustment, special assignment pays, classification changes and additional benefit costs for this bargaining unit is anticipated to cost \$215,170 for the remainder of FY 2021/2022. Excess general fund revenues will cover costs in the current FY 2021/22. Future costs will be included in subsequent annual budgets.

ENVIRONMENTAL IMPACT: The action is not a project subject to CEQA. City Council's action is not considered a "Project" per CEQA Guidelines and therefore no further environmental analysis is required.

RECOMMENDATION: Adopt Resolution Approving Agreement between the City of San Bruno and the Police Bargaining Unit and Authorizing Execution by the City Manager.

ALTERNATIVES: Do not approve the agreement and direct the negotiating team to seek changes or to begin mediation discussions.

ATTACHMENTS:

- 1. Resolution
- 2. Tentative Agreement Police

RESOLUTION NO. 2022-

ADOPT RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF SAN BRUNO AND THE POLICE BARGAINING UNIT, AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER

WHEREAS, representatives of the Police Bargaining Unit represented by the Teamsters Local 856 and representatives of the City of San Bruno have met and negotiated in good faith; and

WHEREAS, as a result of those negotiations, an agreement has been reached regarding changes to the terms and conditions of employment for the Police Bargaining Unit Memorandum of Understanding to the period to December 31, 2025; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Bruno that it hereby approves the Agreement reached between the City of San Bruno and the Police Bargaining Unit modifying the existing Memorandum of Understanding between the parties, and consistent with terms and conditions outlined in the Agreement attached hereto and marked Exhibit A; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute on behalf of the City of San Bruno the attached Agreement, and any modified and consolidated Memorandum of Understanding prepared incorporating all prior agreed upon terms and conditions of employment approved by the City of San Bruno and the Police Bargaining Unit represented by the Teamsters Local 856.



TENTATIVE SUPPOSAL - NOT AUTHORIZED BY COUNCIL

All other City and Union Proposals dropped

March 20, 2022

12. Salary Plan

12.1. Salary Ranges

- 12.1.1. The following reflects the understanding as to adjustments, modifications and changes related to salary and/or benefits:
 - 12.1.1.1. Wages the following increases shall apply to all bargaining unit members
 - 3% increase effective the first full pay period following ratification by the City Council retroactive to first full pay period following January 1, 2018
 - 3% increase effective the first full pay period in January 2019
 - 3% increase effective the first full pay period in January 2020
 - 4.0% increase effective the first full pay period in January 2022
 - 3.0% increase effective the first full pay period in January 2023
 - 3.0% increase effective the first full pay period in January 2024
 - 3.0% increase effective the first full pay period in January 2025
- 12.1.1.2. Market Adjustments 2% market equity adjustment for all represented ranks effective retroactive to the first full pay period in January 2018.
- +2.1.1.3.12.1.1.2. Calculation of actual salary shall be as follows: For the five-step range, the range will be calculated by dividing each range step, beginning with top step, by the factor 1.0525.
- 12.1.1.4.12.1.1.3. Salary ranges for represented classifications shall be as set forth in Appendix "A".
- 12.2. Salary Plan Administration
- 12.2.1. Employees occupying a position set forth in Appendix "A" of this Memorandum of Understanding shall be paid a salary within the range established for that position's classification.
- 12.2.2. Effective upon ratification, the City will create a new Police Corporal job classification which shall be included in the list of classifications represented by

the Police Bargaining Unit and added to Appendices "A" and "A-1". The Police Corporal job classification will be set 7.5% above Step 5 of the Police Officer salary range.

12.2.3. The Parties agree to conduct a classification and compensation study of the Police Clerk I/II, Public Safety Dispatcher I/II. Community Services Officer I/II (digital and physical evidence only) job classifications and meet and confer regarding implementing any negotiable changes within 120 days of ratification of this Agreement, and thereafter commencing bargaining over any negotiable changes, including but not limited to wage enhancements, for those classifications subject to the classification and compensation study.

14. Overtime

- 14.1.1. Overtime is defined as the compensating of a full-time employee, either in compensatory time or pay, for authorized time actually worked in excess of 40 hours per week or in excess of the regularly scheduled work hours per day. Overtime is calculated as being one and a half times employee's regular hourly rate, unless otherwise specifically identified in the MOU. The employee shall have sole discretion in determining whether overtime is received in pay or compensatory time subject to the accrual maximum outlined in the "Compensatory Time Leave Bank" referenced in (a) (1) below.
- 14.1.2. A "Compensatory Time Leave Bank" is established with a maximum accrual balance of eighty one-hundred and twenty-(80120) hours. Time in excess of the accrual maximum would automatically be paid as over-time and not allowed to build up in excess of the maximum level.
- 14.1.3. Employees may convert holiday time as it occurs to compensatory time leave in lieu of pay, but in no case exceed a total of eight; (80) hours. one-hundred and twenty (120) hours.

16. Special Assignment Pay

16.1. The following positions Special Assignments shall receive a 5% increase in base salary beginning on the first day of the assignment and continuing until the last day of the assignment special assignment pay, in the amounts as noted: Detective, Detective Trainee, K-9 Officer, Regional Task Force assignments, School Resource Officer: Bayhill Business Officer Corporal, Motor Officer, and Support Services Officer - 5% increase in base salary beginning on the first day of the assignment and continuing until the last day of the assignment. The maximum Special Assignment Pay an employee may obtain under this section is five percent (5%) total.

- 16.2. Employees in sworn police classifications assigned to work as K-9 officers shall receive an additional 5% increase in their normal step rate and \$100 per month, for such special assignment. Officers are assigned as K-9 officers at the discretion of the Chief of Police. Employees may be returned to their original assignments at any time at the discretion of the Chief of Police and such return shall not be considered "punitive action" nor subject to any appeal. Employees in sworn police classifications assigned to work as K-9 officers shall be compensated for off-duty K-9 care as follows:
- 16.3. The City and the Association agree that the amount of off duty compensable working time attributable to all ordinary aspects of canine care (including without limitation, handling, caring, feeding, exercising, grooming, kennel cleaning, cleaning of City vehicles, and ordinary transport to a veterinarian) by employees assigned to K-9 duty is seven (7) hours per week. Both the City and the K-9 officers agree that this 5% differential and additional \$100 per month, is fair compensation for the duties of caring for the dog outside of work hours. This agreement is made pursuant Fair Labor Standards Act regulation 29 CFR § 785.23. If and when an employee assigned to K-9 duty performs any extraordinary work involving the animal, the employee shall report such work immediately to the Chief of Police in writing and in no event less than 24 hours after completing such work. "Extraordinary work" includes, but is not limited to, unanticipated trips for emergency veterinarian care and any work which causes a substantial increase in work time beyond the agreed-upon hours necessary for routine care as identified above.
- 16.4. Field Training Officer and Communications Training Officer will receive three hours additional pay at the time and one-half rate, for each full week or portion thereof that the trainer is providing training.
- +6.4.16.5. In-lieu of any existing practices of compensation, when a Police Clerk II is assigned as a Public Safety Dispatcher I/II for at least one full working day, such employee shall receive a five (5) percent increase to their base salary for those hours actually worked. Accordingly effective upon ratification of this agreement, the City will eliminate the following from the Police Clerk II job description: ". in addition to the performance of dispatching duties as specified for Public Safety Dispatcher I. on a relief basis" and "Performs duties associated with Public Safety Dispatcher I on a relief basis at a level of skill and ability to perform the dispatching function for an entire shift, as assigned."
- 16.5.16.6. Employees performing the following collateral duties shall receive a two percent (2%) Collateral Duty Premium when assigned by the Chief. Such assignment may be assigned and unassigned by the Police Chief at the sole discretion of the Chief and shall not subject to the grievance procedure. The maximum Collateral Duty Premium Pay an employee may obtain under this section is two percent (2%) total.
 - Regional S.W.A.T Team

- Defensive Tactics Instructor
- De-Escalation Instructor
- 16.7. Beginning the first pay period after the contract is executed employees regularly assigned to work the "Night Shift" (i.e., any shift that includes the hours between 1900 0700) will receive a one percent (1%) pay differential. Beginning in January 2023 employees regular assigned to work the 'Night Shift" will receive an additional one percent (1%) pay differential. Beginning in January 2024, employees regularly assigned to work the "Night Shift" will receive an additional one-half percent (.05%) pay differential for a maximum of (2.5%) two and one-half percent of their hourly rate for all regularly scheduled hours worked between 1900 hours and 0700 hours. For purposes of this section, "regularly assigned" is defined as being scheduled to work as part of a member's standard shift as part of a regular shift rotation (i.e., 6 months). Members not "regularly assigned" to the Night Shift will not be entitled to Night Shift Differential, even for hours worked between 1900 0700. At full authorized staffing levels, there are current 12 such positions in the bargaining unit available for Night Shift Differential; eight (8) Police Officers; two (2) Police Corporals; and two (2) Public Safety Dispatchers I/II.

18. Incentive Pay Programs (Clean Up Language to Confirm to CalPERS)

- 18.1. Historical footnote: *Section 18 Incentive Pay Programs* was previously titled "POST Incentive Pay" and applied only to sworn personnel.
- Incentive pay is calculated on an individual employee's base salary. The maximum incentive pay an employee may obtain under Section 18 Incentive Pay Programs is 8.5%. Subsections 18.3 POST Certification Pay and Section 18.4 Educational Incentive Pay Sworn Personnel are not to be included together for purposes of determining the level of incentive pay. Employees may only receive either POST Certification Pay or Education Incentive Pay at any one time, but may not receive both incentives simultaneously.

18.2.1. POST Certification Pay – Sworn Personnel

- Four percent (4%) of employees base salary for possession of a POST Intermediate Certificate OR
- Seven Eight and one-half percent (78.5%) of employees base salary for possession of a POST Intermediate and possession of a POST Advanced Certificate.
- 18.2.2. Educational Incentive Pay Sworn All Personnel
 - Three percent (3%) for AA or AS degree

- Four percent (4%) for AA or AS degree and POST Intermediate Certificate
- Six percent (6%) for BA or BS degree
- Seven percent (7%) for AA or AS degree and POST Advanced Certificate
- Eight and one half percent (8.5%) for BA or BS degree and POST Advanced Certificate

Educational Incentive Pay Non-Sworn Personnel

- Three percent (3%) for AA or AS degree
- Six percent (6%) for BA or BS degree

34. Health and Welfare

- 34.1. An eligible employee with respect to whom monthly contributions are required shall mean any employee on the payroll on the first day of any calendar month who has been on the payroll of the City eighty (80) hours or more during the preceding calendar month, and shall otherwise be defined by Article I of the Teamsters Local 856 Trust by laws. Said contribution shall institute full compliance with and full performance of all obligations of the City to provide health and welfare benefits for its employees.
- 34.2. The City shall pay 75% and employee pays 25% of the health and welfare benefit premium increase over the prior plan year based on the cost of the plan options which they have selected.
 - Beginning January 1, 2022 through December 31, 2025 the City shall pay 75% and employee shall pay 25% of health and welfare benefit premium increase over the prior plan year.

34.3. Retiree Plus Health Coverage

- 34.3.1. Employees in this unit participate in Retiree Plus Health Coverage established January 1, 2021. For the term of this contract the City shall pay 75% and employee shall pay 25% of Retiree Plus Health Coverage premium.
- 34.3.2. Eligibility for any Retiree coverage: If you retire from employment with an employer who is making contributions for retiree coverage, you will be eligible for retiree benefits provided (1) You were covered under this Plan for a total of 120 months and (2) You were eligible for at least 12 continuous months immediately prior to the date of your retirement.
- 34,3.3. Eligibility for Retiree Plus coverage: If you retire from employment with an employer who is making the required contributions for Retiree Plus coverage, you

will be eligible for the reduced Monthly Self-Pay rate provided (1) you have at least 240 months of coverage and (2) 12 continuous months immediately prior to the date of your retirement with an employer who paid into the Retiree Plus Plan. If you have at least 120 months, but less than 240 months, you will be eligible for Retiree coverage but not for the reduced Monthly Self-Pay rate. Retirees are encouraged to review the Retiree Plus Health Coverage Plan Document for exceptions and enrollment deadlines.

54. Term

- 54.1. This Memorandum of Understanding, entered into on the, shall remain in effect for those employees employed in the classifications set forth in Appendices "A" and "A-1" for the period from January 1, 2018 2022 through December 31, 2020 2025—except to the extent that such Memorandum of Understanding may be modified by the parties during such period, and shall continue in full force and effect until either superseded by a subsequent Memorandum of Understanding or by such other action of the City Council affecting wages, hours, and conditions of employment of the employees in classifications covered by this Memorandum of Understanding.
- 54.2. This Memorandum of Understanding is a compilation of the previous memorandum of Understanding, with modifications negotiated by and between the parties, and thereafter approved pursuant to San Bruno City Council Resolution 2018/2022-33 XX.

56. Appendix A Salary Schedule

Effective first full pay period following January 1, 20182022

Addition of Police Corporal, Code Enforcement Officer I, Code Enforcement Officer II and Senior Code Enforcement Officer

Agreed upon by representatives of the City of San Bruno:
Davia S. W. 4/8/2022
Dania Torres-Wong, Sloan Sakai Yeung & Wong, LLC Date
Chief Negotiator ()
Agreed upon by representative of San Bruno Police represented by Teamsters Local #856:
Chief Negotiator Date



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan Grogan, City Manager

PREPARED BY: Matthew Lee, Director

SUBJECT: Waive First Reading and Introduce an Ordinance Repealing Chapter

10.21 of the San Bruno Municipal Code and Adopting a new Chapter 10.21 Regulating the Use of Disposable Food Service Ware by Food

Facilities

BACKGROUND: On August 12, 2008, the City Council adopted a Sustainable Food Packaging Ordinance calling on restaurants and other food service vendors in San Bruno to eliminate disposable food service composed of polystyrene (Styrofoam). Effective April 1, 2010, food vendors were prohibited from dispensing prepared food to customers in disposable food service ware made from polystyrene. Since the adoption of the Sustainable Food Packaging Ordinance, there has been increasing concern in the community over the impact of disposable food service ware, especially items made from plastic. Disposable food service ware, including containers, cups, lids, utensils and straws, is a major contributor to street litter, ocean pollution, marine and other wildlife endangerment, and climate change. The toxic, carcinogenic chemicals in polystyrene include benzene and styrene, and when heated, leaches into food and drinks.

The City was contacted by the San Mateo County Office of Sustainability (County) in August 2019 and received a summary report and request to consider joining a county wide effort to adopt a Disposable Food Service Ware Ordinance (Ordinance) for food facilities. For over a year, County staff conducted extensive research and worked closely with the County's Environmental Health Services (EHS) to develop the proposed Ordinance, repealing its existing Polystyrene Ban Ordinance. The County engaged cities and stakeholders in the process to try and encourage all of the cities in the county to adopt its Ordinance. The County adopted the Ordinance on February 25, 2020, with thirteen cities following the adoption including the City adopting on September 14, 2021. The Ordinance aimed to regulate and reduce the amount of disposable food service ware, especially those made of plastic which include one-time use items such as straws, stirrers, blows, plates, cups, utensils, clamshells, etc.

In 2018, California adopted Assembly Bill (AB) 1884 requiring that full-service restaurants only provide single-use plastic straws upon consumer request versus distributing them automatically without a specific request from the consumer. The State expanded on this law by passing AB 1276 on October 5, 2021. Under AB 1276, food facilities must go beyond just plastic straws and require consumers to request additional foodware accessories such as utensils, stirrers, splash sticks, and condiment packets. The State also strengthened enforcement by directing local governments to authorize an enforcement agency to enforce these statutes by June 1, 2022. The law, however, does not provide a specific implementation date. Furthermore, AB 1276 allows local governments to adopt more restrictive requirements at their discretion. Also, on

October 5, 2021, Governor Newsom signed into law AB 1200, which prohibits the sale or distribution of single-use foodware comprised of paper or other plant-based natural fiber that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS), a class of hazardous chemicals. This law goes into effect on January 1, 2023. The new legislation does not direct a specific entity to be the enforcement agency.

The County's Board of Supervisors adopted the amendment to the Disposable Food Service Ware Ordinance on February 8, 2022.

DISCUSSION: The previously adopted City Ordinance in September 2021 (2021 Ordinance) includes key provisions that are well aligned with many of the requirements on foodware in AB 1276 and AB 1200 including:

- 1. Requirement that food facilities only distribute foodware accessories upon request by the consumer:
- 2. Prohibition of food facilities from bundling/packaging single-use foodware accessories for distribution:
- 3. Requirement that third-party food delivery platforms (e.g., Uber Eats, DoorDash, etc.) provide options for consumers to affirmatively ask for single-use foodware accessories; and
- 4. PFAS restrictions on single-use fiber-based foodware. (While AB 1200 requires all single-use fiber-based foodware to be PFAS-free, the City's 2021 Ordinance requires the following select items to be PFAS-free: plates, bowls, cups, food trays, clamshells, boxes, deli containers, and other containers.)

Some discrepancies, however, do exist. Below is a summary of the new state requirements and the recommendations for aligning the City's 2021 Ordinance with the new state requirements.

Overview of Changes to City's 2021 Ordinance to Align with AB 1276

To align the City's 2021 Ordinance with the new state requirements of AB 1276, the following changes are recommended:

1. <u>Current 2021 Ordinance requirement</u>: *All* food facilities may offer single-use foodware accessories to consumers.

New AB 1276 requirement: Food facilities can offer single-use foodware accessories only at drive-throughs and public airports.

Recommended change to 2021 Ordinance: Amend the 2021 Ordinance so that only food facility drive-throughs and food facilities at public airports can offer accessories to consumers.

2. <u>Current 2021 Ordinance requirement</u>: Food facilities may distribute foodware accessories using dispensers and have them available at self-serve areas, including in open bins/containers for consumers to grab-and-go.

New AB 1276 requirement: Open bins/containers are not allowed for distribution of accessories. Consumers must request them from the employee and/or food facilities may have them available at refillable dispensers that dispense accessories one item at a time.

Recommended change to 2021 Ordinance: Amend the 2021 Ordinance so that food facilities cannot have available accessories in open bins/containers at self-serve areas for consumers to

grab-and-go, and explicitly state that dispensers can only dispense accessories one item at a time.

3. <u>Current 2021 Ordinance requirement</u>: Food facilities are not prohibited from using self-serve, refillable bulk condiment dispensers (there is no reference to bulk condiment dispensers in the 2021 Ordinance).

<u>New AB 1276 requirement</u>: Food facilities are explicitly allowed to use self-serve, refillable bulk condiment dispensers to distribute condiments.

<u>Recommended change to 2021 Ordinance</u>: Amend the 2021 Ordinance to explicitly allow for use of refillable bulk condiment dispensers.

Overview of Changes to City's 2021 Ordinance to Align with AB 1200

The PFAS requirements for all single-use fiber-based foodware under AB 1200 go into effect on January 1, 2023. To align the City's 2021 Ordinance with the new state requirements of AB 1200, the following changes are recommended:

1. The PFAS requirements in AB 1200 go into effect on January 1, 2023 and supersede those of the City's 2021 Ordinance. Therefore, the recommendation is to sunset the City's PFAS requirements currently in the 2021 Ordinance on December 31, 2022. The County will look to the State to assume responsibility for implementing and enforcing the new requirements starting on January 1, 2023.

The City entered into a Memorandum of Understanding with the County, who will take the lead in education and outreach, as well as enforcement of the ordinance.

This will promote consistency within jurisdictions throughout the County. The City will save staff time and resources by having the County provide these services.

The ordinance will not become operative and will not be enforced until October 1, 2022 to provide food facilities time to use up their existing non-conforming inventory and to give County staff time to develop an education and enforcement program.

FISCAL IMPACT: There is no fiscal impact anticipated as a result of this Ordinance. Limited costs are anticipated for existing food service facilities in the City considering that all have some type of sustainable food service ware in place. The County will manage the outreach, education, and enforcement of the Ordinance at no cost to the City.

ENVIRONMENTAL IMPACT: The action is not a project subject to CEQA. City Council's action is not considered a "Project" per CEQA Guidelines and therefore no further environmental analysis is required.

RECOMMENDATION: Receive report regarding the San Mateo County Office of Sustainability's proposed Food Service Ware Ordinance and provide direction to staff to return with a City Disposable Food Service Ware Ordinance for adoption.

ALTERNATIVES: 1. Request additional information before adopting the ordinance

ATTACHMENTS: 1. Disposable Food Service Ware Ordinance

ORDIN	ANCE	NO.	

AN ORDINANCE REPEALING CHAPTER 10.21 (DISPOSABLE FOOD SERVICE WARE) TO TITLE 10 (MUNICPAL SERVICES) OF THE SAN BRUNO MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 10.21 (DISPOSABLE FOOD SERVICE WARE) REGULATING THE USE OF DISPOSABLE FOOD SERVICE WARE BY FOOD FACILITIES

WHEREAS, the City adopted Ordinance No. 1770 prohibiting the use of polystyrene (Styrofoam) based disposable food service ware by food vendors on February 10, 2009.; and

WHEREAS, the City repealed and replaced City Ordinance No. 1770 with Ordinance No. 1902 also known as the "Disposable Food Service Ware Ordinance," hereafter referred to as the "Ordinance," on September 14, 2021. The Ordinance focuses on reducing single-use plastic and other food service ware waste, improving the health and safety of the City and County community members, and helping to waterways clean and safe; and

WHEREAS, on October 5, 2021, AB AB 1276 was signed into law by Governor Gavin Newsom. AB 1276 restricts the distribution of single-use foodware accessories (e.g., utensils, straws, stirrers, condiment packets, etc.) by restaurants and other food facilities; and

WHEREAS, on October 5, 2021, AB 1200 was also signed into law by the Governor. AB 1200 mandates that no person shall distribute, sell, or offer for sale in the state any food packaging (including single-use foodware) that contains regulated perfluoroalkyl and polyfluoroalkyl substances (PFAS); and

WHEREAS, the Ordinance includes requirements that are well aligned with many of the requirements on foodware in AB 1276 and AB 1200. However, some discrepancies exist. As such, the Ordinance must be amended to ensure alignment with requirements in both State bills; and

WHEREAS, the City does, accordingly, find and declare that it should repeal and replace in its entirety Chapter 10.21 of the San Bruno Ordinance Code to ensure the City's requirements around single-use foodware accessories distribution and PFAS regulation in single-use foodware align with the State of California's requirements.

NOW, THEREFORE, the City Council of the City of San Bruno does ordain as follows:

SECTION 1. Recitals. The above recitals are incorporated as though set forth in this section.

SECTION 2. Chapter 10.21 (Disposable Food Service Ware) of Title 10 (Municipal Services) is hereby repealed and replaced in their entirety by a new Chapter 10.21 to be numbered and entitled and to read as follows:

CHAPTER 10.21 REGULATING THE USE OF DISPOSABLE FOOD SERVICE WARE

10.21.010 Definitions.

For purposes of this Chapter, the following terms have the following meanings:

- (a) "Aluminum Foil-based" means any Disposable Food Service Ware composed entirely of aluminum, including but not limited to aluminum tray liners, aluminum foil, and aluminum foil baskets.
- (b) "Compostable" means that an item or material:
 - Meets standards for compostability from a certified/approved independent thirdparty approved by the County Manager or designee, in collaboration with local waste processors, haulers, and/or other entities, as needed; and/or
 - 2. Is any variation of acceptable materials that will break down or otherwise become part of usable compost in a safe and timely manner as determined by the County Manager or designee, in collaboration with local waste processors, haulers, and/or other entities, as needed; and
 - 3. Is Natural Fiber-based. Compostable items may include those that are made entirely of Natural Fiber or Natural Fiber-based items that are coated or lined with biologically based polymer, such as, but not limited to corn or other plant sources (e.g., compostable plastics), if certified/approved by independent third parties approved by the County Manager or designee.
 - "Compostable" does not include items made entirely/primarily of biologically based polymer (e.g., PLA, PHA, or other compostable plastic), even if labeled or certified as compostable.
- (b) "Biodegradable Products Institute (BPI)" refers to a certification program that ensures that products and packaging displaying the BPI logo have been independently tested and verified accordingly to scientifically based standards to successfully break down in professionally managed industrial composting facilities. BPI-certified products meet the standards of the American Society for Testing Materials (ASTM) D6400 or D6868 for compostability. Starting on January 1, 2020, all BPI-certified products will also be required to have (1) a limit of 100 parts per million (ppm) total Fluorinated Chemicals as the upper threshold for acceptance and (2) no intentionally added Fluorinated Chemicals.
- (c) "City Facilities" means any building, structure or vehicles owned or operated by the City of San Bruno, its agent, agencies, and departments. This also includes all individuals, entities, or organizations using City Facilities for public or private events.
- (d) "Compostable" means that an item or material (1) will break down, or otherwise become part of usable compost in a safe and timely manner and (2) is Natural Fiber-based or made from other materials approved by the City Manager or designee. Compostable items may include those that are made entirely of Natural Fiber or Natural Fiber-based items that are coated or lined with biologically based polymer, such as corn or other plant sources (e.g., compostable plastics), if certified by BPI or by another independent third party approved by the City Manager or designee.
- (e)(d) "Disposable" means designed to be discarded after a single or limited number of uses and not designed or manufactured for long-term multiple reuse.

- (f)(e) "Food Service Ware" means food contact products used for serving, distributing, holding, packaging, and/or transporting Prepared Food including, but not limited to plates, cups, bowls, trays, clamshell containers, boxes, utensils, straws, lids, and food contact paper (e.g., wraps, bags, tray liners, etc.). The term "Food Service Ware" includes Food Service Ware Accessories and Standard Condiment in Disposable packaging.-
- (g)(f) "Food Service Ware Accessories" include different types of Food Service Ware such as straws, stirrers, Utensils, condiment cups and packets, cocktail sticks/picks, toothpicks, napkins, cup spill plugs, cup sleeves, and other similar accessory or accompanying Food Service Ware used as part of food or beverage service or packaging. Detachable lids for beverage cups and food containers are not considered a Food Service Ware Accessory include Food Service Ware such as straws, stirrers, cup spill plugs, cup sleeves, condiment packets, utensils (including chopsticks), cocktail sticks/picks, toothpicks, napkins, and other similar accessory or accompanying Food Service Ware used as part of food or beverage service or packaging. Detachable lids for beverage cups and food containers are not considered a Food Service Ware Accessory.
- (g) "Perfluoroalkyl and Polyfluoroalkyl substances (PFAS)" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.
- (h) "Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Restrictions" mean either of the following: Fluorinated Chemicals" means perfluoroalkyl and polyfluoroalkyl substances (PFAS chemicals) or fluorinated chemicals, which are a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.
 - 1. PFAS has not been intentionally added to a product or product component.
 - (h)2. The presence of PFAS in a product or product component is below 100 parts per million, as measured in total organic fluorine.
- (i) "Food Facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food to the public for human consumption, as defined by the California Health and Safety Code Section 113789 or successor. It includes both permanent and temporary food facilities. Public schools are exempt from the provisions of this Chapter.
- (j) "Food Scrap Composting Method" means (1) self-hauling of food scraps to a permitted composting facility or a transfer station that accepts food scraps that will be transferred to a permitted composting facility for on-site compost processing, (2) food scrap compost collection service provided by a curbside hauler, or (3) on-site food scrap composting.
- (k) "Healthcare Facilities" mean places that provide healthcare to the public. Healthcare Facilities includes, but is not limited to hospitals, clinics, outpatient care centers, nursing homes, psychiatric care centers, medical offices, hospice homes, mental health and addiction treatment centers, orthopedic and other rehabilitation centers, urgent care, birth centers, etc.
- (I) "Natural Fiber/Natural Fiber-based" means a plant or animal-based, non-synthetic fiber, including but not limited to products made from paper, sugarcane, bamboo, wheat stems/stalk, hay, wood, etc.

- (m) "Non-Compostable" means not meeting the definition of Compostable set forth in this Chapter.
- (n) "Polystyrene-based" means and includes expanded polystyrene, which is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene). The term "polystyrene" also includes polystyrene that has been expanded or blown using a gaseous blowing agent into a solid foam (expanded polystyrene [EPS]) and clear or solid polystyrene known as oriented polystyrene.
- (o) "Prepackaged Food" means any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer and prepared at an approved source.
- (p) "Prepared Food" means food or beverages that undergo a cooking or food preparation technique on the Food Facility's premises for consumption by the public. Cooking or food preparation technique includes, but is not limited to the following:
 - 1. Cooking methods, utilizing the application of heat, such as steaming, microwaving, simmering, boiling, broiling, grilling, frying, or roasting.
 - 2. Beverage preparation, such as blending, brewing, steeping, juicing, diluting, or pouring.
 - 3. Food preparation techniques, such as defrosting, rinsing, washing, diluting, cutting, portioning, mixing, blending, assembling, coating, dipping, garnishing, decorating, or icing.

Prepared Food does not include raw eggs or raw, butchered meats, fish, and/or poultry sold from a butcher case, a refrigerator case, or similar retail appliance.

- (q) "Standard Condiment" means relishes, spices, sauces, confections, or seasonings that require no additional preparation and that are usually used on a food item after preparation, and includes different types such as ketchup, mustard, mayonnaise, soy sauce, hot sauce, salsa, salt, pepper, and sugar/sugar substitutes.
- (q)(r) "Takeout Food" means Prepared Food requiring no further preparation, whichthat is purchased to be consumed off a Prepared Food Facility's premises. Takeout Food includes Prepared Food delivered by a Food Facility or by a third-party Takeout Food Delivery Service.
- (s) "Takeout Food Delivery Service" is a service that delivers Takeout Food from a Foodfor online food ordering and delivery of Prepared Food from a Facility to a customer for consumption off the premises. This service can be provided directly by the Food Facility or by a third-party.
- (r)(t) "Utensils: include different types of instruments used to assist the consumption of food, specifically, dorks, knives, spoons, sporks chopsticks, and tongs.

10.21.020 Distribution of Disposable Food Service Ware Accessories and Standard Condiment.

- (a) Except as provided in Subsections (b) and (c), Food Facilities, for on-premise dining and off-premise dining (e.g., Takeout Food Delivery Service, catering off-site, etc.), shall not provide any Disposable Food Service Ware Accessories or Standard Condiment in Disposable packaging to a consumer unless the specific type of Disposable Food Service Ware Accessory (including different types of Utensils) or specific type of Standard Condiment is requested by the consumer.
- (a) No Food Facility shall provide any Disposable Food Service Ware Accessories except (1) upon request by the consumer, (2) upon acceptance by the consumer after being offered by the Food Facility, or (3) at a self-serve area and/or a dispenser.
- (b) Food Facilities may ask a drive-through consumer if the consumer wants a specific type of Disposable Food Service Ware Accessory (including different types of Utensils), if the item is necessary for the consumer to consume Prepared Food or to prevent spills of or safely transport Prepared Food.
- (c) Food Facilities that are located entirely within a public use airport, as defined in Section 77.3 of Title 14 of the Code of Federal Regulations, may ask a walk-through consumer if the consumer wants a specific type of Disposable Food Service Ware Accessory (including different types of Utensils), if the item is necessary for the consumer to consume Prepared Food or to prevent spills of or safely transport Prepared Food.
- (d) Disposable Food Service Ware Accessories and Standard Condiment in Disposable packaging provided by Food Facilities for use by consumers shall not be bundled or packaged in a manner that prohibits a consumer from taking only the type of Disposable Food Service Ware Accessory (including different types of Utensils) or type of Standard Condiment desired without also having to take a different type of Disposable Food Service Ware Accessory or type of Standard Condiment. Food Facilities cannot distribute Disposable Utensils that are bundled or packaged together. Each type of Utensil (e.g., fork, spoon, knife, etc.) must be specifically requested by the consumer in order for a Food Facility to provide the item(s).
- (e) Nothing in this Chapter shall prohibit a Food Facility from making unwrapped Disposable Food Service Ware Accessories available to a consumer using refillable self-service dispensers that dispense different types of Disposable Food Service Ware Accessories one item at a time to allow for Disposable Food Service Ware Accessories to be obtained.
- (f) Nothing in this Chapter shall prohibit a Food Facility from making Standard Condiment available to a consumer using refillable self-service dispensers to allow for Standard Condiment to be obtained. Food Facilities that offer Standard Condiment are encouraged to use bulk dispensers for the condiments rather than condiments packaged for single-use.
- (g) Takeout Food Delivery Services shall provide consumers with the option to proactively request the different types of available Disposable Food Service Ware Accessories (including different types of Utensils) and the different types of Standard Condiment from a Food Facility serving Prepared Food. The default option on the digital ordering/point-of-sale platforms of Takeout Food Delivery Services shall be that no Disposable Food Service Ware Accessories or Standard Condiment are requested.
- (h) Takeout Food Delivery Services shall provide Food Facilities the ability to tailor the digital ordering/point-of-sale platforms so that Food Facilities can customize and itemize the different types of available Disposable Food Service Ware Accessories (including

- different types of Utensils) and the different types of available Standard Condiments for consumers to proactively select.
- (i) If a Food Facility uses any Takeout Food Delivery Service, the Food Facility shall customize its menu with an itemized list and/or provide options of the different types of available Disposable Food Service Ware Accessories (including different types of Utensils) and the different types of available Standard Condiments for consumers to proactively select. Only those specific types of Disposable Food Service Ware Accessories (including different types of Utensils) or specific types of Standard Condiment proactively requested by the consumer shall be provided by the Food Facility. If a consumer does not request any Disposable Food Service Ware Accessories or Standard Condiment, no Disposable Food Service Ware Accessories or Standard Condiment shall be provided by the Food Facility for delivery of Prepared Food. Pursuant to Subsection (d), each type of Utensil (e.g., fork, spoon, knife, etc.) offered by the Food Facility shall also be listed individually, unbundled on the menu and provided by the Food Facility for delivery along with the Prepared Food only if requested by the consumer.
- (b) Food Facilities shall only distribute Disposable Food Service Ware Accessories unbundled, as separate individual units.
- (c) Takeout Food Delivery Services that utilize digital ordering/point of sale platforms, including but not limited to the internet and smart-phone, shall only offer Disposable Food Service Ware Accessories by providing clear options for customers to affirmatively request these items separate from orders for food and beverages. The default option on the digital ordering/point of sale platforms shall be that no Disposable Food Service Ware Accessories are requested. Each individual Disposable Food Service Ware Accessory (e.g., each fork, knife, condiment packet, napkin, etc.) provided with Prepared Food must be specifically requested by the customer in order for a Food Facility to provide it.

10.21.030 Standards and Required Use of Disposable Food Service Ware.

- (a) No Food Facility shall use Polystyrene-based Disposable Food Service Ware when providing Prepared Food.
- (b) Food Facilities and City Facilities shall only provide Disposable straws, stirrers, utensils, and cocktail/toothpicks (and the packaging that these individual items are wrapped in, if any) that are Compostable.
- (c) Nothing in this Chapter shall conflict or be construed to conflict with the Americans with Disabilities Act or any other applicable law concerning the rights of individuals with disabilities. In particular, nothing in this Chapter shall restrict, or be construed to restrict, the provision by Food Facilities of Disposable Non-Compostable straws to individuals who may request the use of Disposable Non-Compostable straws to accommodate medical needs or disabilities. Healthcare Facilities may distribute Disposable Non-Compostable straws with or without request by a patient at the discretion of the Healthcare Facility staff based on the physical or medical needs of the patient.
- (d) Food Facilities and City Facilities shall use Compostable items for the below Disposable Food Service Ware when providing Prepared Food:
 - 1. Plates

- 2. Bowls (of all sizes including, but not limited to soup and salad bowls-and accessory bowls for condiments)
- 3. Cups (of all sizes including, but not limited to beverage cups and accessory cups for Standard Condiments)
- 4. Food trays and food boats
- 4.5. Boxes
- 5.6. Clamshells, boxes, deli containers, and other containers used for the sale and/or distribution of Prepared Food (e.g., Takeout Food, leftover "doggie containers", etc.) Hinged or lidded containers (e.g., clamshells), deli containers, and other containers used for the sale and/or distribution of Prepared Food
- (e) Compostable Commencing on the effective date of this Chapter up until December 31, 2022, for the Compostable Disposable Food Service Ware listed in Subsection (d), Food Facilities shall use items that meet Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Restrictions. To verify the PFAS Restrictions, Food Facilities shall use items that are certified/approved by independent third parties approved by the County Manager or designee, in collaboration with local waste processors and haulers, as needed. items for the Disposable Food Service Ware listed in Subsection (d) used by Food Facilities and City Facilities must have been tested to breakdown into compost in an industrial composting facility in a timely manner and shall be free of all intentionally added Fluorinated Chemicals. To verify, these items shall be certified by Biodegradable Products Institute (BPI) or another independent third party approved by the City Manager or designee, in collaboration with local waste processors and haulers.
- (f) For all other Disposable Food Service Ware not listed in Subsections (b) and (d), Food Facilities shall use only Disposable Food Service Ware that can be composted by the Food Scrap Composting method utilized by the Food Facility and/or accepted for recycling by the Food Facility's recycling collection service, unless a feasible alternative does not exist. -
- (g) The City and County shall maintain a list of approved Disposable Food Service Ware sources and/or references to organizations resources that maintain regularly updated lists of products that meet the requirements detailed in Subsections (a), (b), (d), and (e) of this Section. This information shall be made available public on the City's and County of San Mateo's the Office of Sustainability websites and at the City's Manager's Office or another designated location. If a product is not included on the approved lists, the Food Facility wishing to use a product as Disposable Food Service Ware shall establish to the City Manager or designee's satisfaction that the product complies with the requirements detailed in Subsections (a), (b), (d), and (e).

10.21.040 Recordkeeping and Inspection.

- (a) Food Facilities shall keep complete and accurate record or documents of the below items. acceptable Disposable Food Service Ware evidencing compliance with this Chapter for a minimum period of three years from the date of purchase.
 - Commencing on the effective date of this Ordinance and ending on October 1, 2022, the purchase of all Disposable Food Service Ware, including Non-Compostable and Compostable items.

- 2. The purchase of the acceptable Disposable Food Service Ware evidencing compliance with this Chapter for a minimum period of three years from the date of purchase.
- (b)(a) The record shall be made available for inspection at no cost to the County during regular business hours by County employee or County-designated staff authorized to enforce this Chapter. Unless an alternative location or method of review is mutually agreed upon, the records or documents shall be made available at the Food Facility address.
- (c)(b) The provision of false or incomplete information, records, or documents to the County shall be a violation of this Chapter.

10.21.050 Automatic Exemptions.

- (a) Prepackaged Food is exempt from the provisions of this Chapter.
- (b) Polystyrene coolers and ice chests intended for reuse are exempt from the provisions of this Chapter.
- (c) Disposable Food Service Ware that is entirely Aluminum Foil-based or recycled glass is exempt from the provisions of this Chapter.
- (d) If the City or County determines that a reasonably feasible Disposable Food Service Ware that complies with Section 4.107.040 (a), (b), (d), and (e) of this Chapter does not exist, these items will be exempt from the abovementioned provisions of this Chapter until the City or County determines that a reasonably feasible alternative is available on the market for purchase. The City and County will have a current list of these temporarily exempted Disposable Food Service Ware posted on their websites with hard copies available in the City Manager's office or another designated location made public by the County.
- (e) Certain Disposable Food Service Ware Accessories for beverage orders, specifically, straws and cup sleeves, shall be exempt from Section 4.107.030 (a) and may be distributed for safety reasons without the need for a request by the consumer or an offer by the Food Facility, specifically at drive-through areas of Food Facilities. Detachable lids are not considered a Disposable Food Service Ware Accessory, so Section 4.107.030 (a) does not apply to detachable lids.
- (f)(e) Temporary exemptions due to an emergency are automatic without the submission of a request for an exemption. An emergency is defined as a sudden, unexpected occurrence posing a clear and imminent danger that requires immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services. Examples of an emergency include, but are not limited to natural disasters, emergencies due to the release of hazardous materials, emergencies associated with loss of power and/or water, or emergency medical response.

10.21.060 Case-by-Case Consideration of Requests for Hardship Exemption.

(a) Grounds for an exemption.

An exemption from any of the provisions of this Chapter and the County's Chapter may be granted by the County Manager, City Manager or designee upon demonstration by a

Food Facility to the satisfaction that strict application of the requirements would cause undue hardship. An "undue hardship" includes, but is not limited to the following:

- 1. A situation unique to the Food Facility where a suitable alternative that conforms with the requirements detailed in Section 4.107.040 (a), (b), (d), and (e) does not exist for a specific application.
- 2. Imposing the provisions of this Chapter would cause significant economic hardship. "Significant economic hardship" may be based on, but not limited to, demonstrating that suitable Disposable Food Service Ware is not available at a commercially reasonable price and the additional cost associated with providing the Disposable Food Service Ware is particularly burdensome to the Food Facility based on the type of operation(s) affected, the overall size of the business/operation, the number, type and location of its facilities, the impact on the overall financial resources of the Food Facility, and other factors. Reasonable added cost for a suitable item as compared to a similar item that the Food Facility can no longer use shall not by itself constitute adequate grounds to support an exemption for such item. In determining whether a significant economic hardship has been established, the City Manager or designee shall may consider the following information: ability of the Food Facility to recover the additional expense by increasing its prices; the availability of tax credits and deductions; outside funding; and other options.
- (b) Request for an exemption. A request for an exemption from the requirements of this Chapter shall include all information deemed necessary by the City to render a decision, including but not limited to documentation showing the factual support for the requested exemption. A request for an exemption may be approved by the City Manager or designee, in whole or in part, with or without conditions. The duration of the exemption, if granted, shall also be determined by the City Manager or designee. Information about the application process for requesting an exemption will be made available to the public by the County. on the City and County's website and in the City's Manager's office or another designated location.

10.21.070 Enforcement.

- (a) The City Manager or designee, including County officials may enforce this Chapter. Such authorization includes, without limitation, the authority to hold hearings, issue citations, or assess administrative fines on behalf of the City.
- (b) Violation of this Chapter is a public nuisance subject to all applicable civil, administrative, and criminal remedies and penalties according to the provisions and procedures contained in this ordinance code and state law including, but not limited to, an action for abatement or injunctive relief.

(c) Compliance plan

1. If requested by the County Manager or designee, a Food Facility that is in violation of any of the provisions detailed in this Chapter shall create and submit to the County Manager or designee a compliance plan, which will include information on corrective action(s) that the Food Facility shall undertake to come into compliance. Other requested information may include, and are not limited to

- proposed timeline for corrective action(s), and identification of individuals responsible for ensuring compliance.
- 2. The Food Facility shall create and submit its completed compliance plan within fourteen calendar days (14) from the time of request by the County Manager or designee.
- Notwithstanding authorization of enforcement by County of San Mateo personnel in this Chapter, the violation of, or noncompliance with, any of the requirements of this Chapter or applicable provisions of this code, shall be subject to any administrative, civil, or criminal enforcement remedies available under the law and/or the City's municipal code. In addition, the City may enforce the violation of this Chapter by means of civil enforcement through a restraining order, a preliminary or permanent injunction or by any other means authorized by the law.

This Section shall not be interpreted to limit any otherwise available civil or administrative remedies under law.

<u>SECTION 3</u>. California Environmental Quality Act (CEQA) Finding. This ordinance is not a "project" pursuant to Section 21065 of the Public Resource Code because it does not change the existing regulatory scheme.

<u>SECTION 4.</u> Severability. If any provision, clause, sentence or paragraph of this chapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

SECTION 5. Effective Date. The City Clerk shall certify to the adoption of this ordinance and shall cause a summary thereof to be published in a newspaper of general circulation at least five (5) days prior to the meeting at which the proposed ordinance is to be adopted and shall post a certified copy of the proposed ordinance in the office of the City Clerk, and within fifteen (15) days of its adoption, shall cause a summary of it to be published, including the vote for and against the same, and shall post a certified copy of the adopted ordinance in the office of the City Clerk, in accordance with California Government Code Section 36933. This Ordinance shall be effective thirty (30) days after adoption. However, the mandatory provisions of this Ordinance, shall only become operative and subject to enforcement on October 1, 2022.

INTRODUCED on the by the City Council of the City	day of ty of San Bruno on this	, 2022, and PASS day of	ED AND ADOPTED , 2022, by
the following vote:			
AYES:			
NOES:			
ABSTAIN:			
ABSENT:			

Rico E. Medina
Mayor of the City of San Bruno
ATTEST:
ATTEOT.
Melissa Thurman, MMC
City Clerk



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Matthew Lee, Public Works Director

SUBJECT: Receive Report on 15 MPH Speed Limit Signs on School Zones

BACKGROUND: At the City Council meeting on October 26, 2021, citing local safety concerns near schools and neighboring cities that have either reduced speed limits near K-12 schools or committed to study doing so, the City Council requested that staff investigate the City's ability to reduce speed limits near San Bruno schools and the San Bruno Senior Center. The discussion and direction was prompted by an agendized Councilmember Comment from Mayor Rico Medina titled "Speed limits near schools and the San Bruno Senior Center." During the discussion, information was requested on the Police Department's ability and the cost to enforce the reduced speed limits. In addition to assumption that reduced posted speed limits will increase safety around school sites, Councilmembers citied a newly adopted state law (AB 43) and alignment to actions (or potential actions) by neighboring cities as the rationale for examining reduced speeds near school sites in San Bruno.

In addition to the above direction to examine reducing speeds to 15 mph, in FY 2020-2021, the City Council authorized work on a Safe Routes to School Plan and the City was awarded \$248,929 from a Caltrans Sustainable Transportation Planning Grant to develop a Safe Routes to School Plan. The Plan will identify infrastructure improvements and propose program activities such as education and enforcement needed to improve safety conditions for children who walk and bicycle to schools. The Plan will be framed on the six Es of Safe Routes to School programs (Evaluation, Engineering, Education, Encouragement, Enforcement, and Equity), and the content will be based on input from school and community-based groups such as parentteacher organizations, citizen advisory committees, three open community meetings, online parent and student surveys, in-depth analysis of collision data, and comprehensive walking audits at each school. Participating schools include Belle Air Elementary, Decima Allen Elementary, Rollingwood Elementary, John Muir Elementary, Portola Elementary, Parkside Intermediate, Capuchino High, St. Robert Catholic Elementary, and Palos Verdes and El Portal Schools. Members of the community are welcome to provide feedback for non-participating schools during the public engagement process. The Plan will include school specific summaries that describe existing conditions, proposed recommendations, and a list of prioritized projects per school and district-wide. Plan adoption by City Council is anticipated for Winter 2022-2023.

The California Vehicle Code (CVC) is the section of the California Codes which contains almost all statutes relating to the operation, ownership, and registration of vehicles including bicycles in the state of California.

CVC identifies a prima facie speed limit of 25 mph on local streets and streets contiguous to schools when approaching or passing school grounds (up to 500' of the school grounds before 2008), without the need for Engineering & Traffic Survey (E&TS). On streets with posted speed limits of 30 mph or higher, the 25 mph prima facie speed limit in school zones is only in effect when children are present, which is generally when children are going to, or leaving the school during morning, lunch period or afternoon. For schools that are located on local streets, the 25 mph prima facie speed limit in school zones is in effect all the times.

California Assembly Bill 321 (approved October 10, 2007), an act to amend CVC Section 22358.4, became effective in January 2008 allowing local agencies to extend the 25 mph prima facie speed limit up to 1,000 feet from the school grounds or to establish a 15 mph speed limit in school zones (up to 500' from the school grounds) under certain conditions. Specifically, the reduced or extended school zone speed limit is only applicable on streets in a residential district that have a maximum of two traffic lanes and a maximum posted speed limit of 30 mph. Such reduced or extended speed limits must be established for both directions of traffic and the reduced or extended school zone speed limit would only be in effect when children are present.

In addition to the above, CVC Section 22358.4 as well as the CA MUTCD also require (1) documenting all provisions of CVC section 627 (traffic collisions, unusual traffic conditions, residential density, pedestrian/bicycle safety) that support the need to lower or extend the school zone speed limit, in an engineering study and (2) a Council resolution or ordinance establishing reduced or extended school zone speed limits. While the 85th percentile speed forms the basis of determining radar enforceable speed limits, the 85th percentile speed is not required to be the basis for the reduced 15 mph or extended 25 mph school zone.

Recently, AB 43 was approved by Governor on October 8, 2021. Among other things, AB 43 authorizes local agencies to reduce speed in Residential and Business Districts to 20 or 15 mph based on an E&TS. Most of the AB 43 provisions will not be effective until Caltrans and the California Judicial Council have developed and formalized procedures related to the new provisions. Staff estimates these provisions may not be effective until 2023 or 2024 because of the time required for Caltrans and others to update their rules and regulations.

California Assembly Bill 321 does not apply to senior centers, however under AB 43 the speed limit can be reduced to 15 or 20 mph at any residential streets or business districts based on Engineering and Traffic Survey. Without further study, it is not possible to state if AB 43 can be used to reduce the speed limit near the San Bruno Senior Center to 15 or 20 mph, as it is unclear if the area would qualify as a residential or business district under AB 43.

DISCUSSION: There are a total of 15 private and public schools in the City of San Bruno. A preliminary review of school locations indicates that all of the schools are located at qualifying locations meeting CVC criteria. Reducing school zone speed limits below 25 mph is not allowed by law on roads that exceed two travel lanes, or posted speed limit of higher than 30 mph or are not located within residential districts. In order to post 15 mph reduced or 25 mph extended school zone speed limit signs, the following major steps will be essential.

- 1. Conduct an engineering study for each location. A cursory look indicates that most locations may qualify for posting 15 mph speed limits within school zones.
- 2. Council action and passage of resolution for implementation
- 3. Installation of signs

California MUTCD Figure 7B—103(CA) shows the typical school zone signs required to be posted at each school site (Attachment 1). A minimum of 6 (six) signs are required per school site or more depending on cross streets within the school zone and/or contiguous streets to the school grounds.

If the City decides to implement the reduced speed limit around schools, there will be fiscal impacts. It will require the City to budget a capital improvement project for about \$300,000 to cover the cost of performing engineering study, preparing plans and bid documents, advertising the project for construction and the cost of construction and contract administration.

In addition, the City desires to actively enforce the reduced speed limits there will need to be additional annual costs incurred by the City for traffic enforcement. The Police Department's Traffic Section is currently staffed with one Traffic Sergeant and one Traffic Officer. The Traffic Sergeant's duties require them to remain primarily in the office as their duties include reviewing and approving traffic collision reports, reviewing parking citation appeals, conducting vehicle impound hearings and managing the Department's Office of Traffic Safety grants. The Traffic Officer is assigned to respond to traffic collisions, investigate major traffic collisions and conduct traffic enforcement including speed enforcement. If the Traffic Officer were to be diverted from all their other duties to ensure that they are proactively enforcing the reduced speed limits around schools; the Traffic Officer would only be able to be at each school site, once each month. In addition, while the Traffic Officer is dedicated to a school each day; their normal workload will have to be handled by other Officers. The Police Department projects that the City will need to hire additional Traffic Officers depending on the level of proactive speed enforcement that is desired at the school sites. A Traffic Officer is estimated to cost \$191,900 annually (at Step 5). For each Traffic Officer, a police motorcycle will need to be purchased at an approximate cost of \$73,100.

An additional Traffic Officer would allow for speed enforcement at each school site once each month and allow the current Traffic Officer to maintain their current workload. Two new Traffic Officers would allow for speed enforcement at each school site twice each month. The new state law (AB 43) requires that certain violations be subject to a warning citation for the first 30 days of implementation. In addition, the Police Department will have to conduct further research to determine the enforceability of these reduced speed limits in comparison to existing authorized speed limits. The Department may have to have consultations with other agencies and the Traffic Court. It is suggested that we wait to implement AB 43 (reducing speed on residential and business districts to 20 or 15 mph) until June 2024 as recommended in the AB 43 text).

It is noteworthy to mention that speeding issues are complex and street design and geometry of the road, street landscaping, number of lanes, lane width, etc., play a role.

Installing signs and enforcement while may reduce speeding in some instances, it is not a complete solution. Also, City has a traffic calming program where residents can submit a petition for their street to be considered for traffic calming measures to be installed if the speeding on the residential streets meet the speeding thresholds as defined in the City's Traffic Calming Process.

FISCAL IMPACT: There is no fiscal impact to the City's budget from providing this report. However, as noted above, should the City Council wish to proceed with a project to lower speed limits at 15 private and public schools to 15 mph, staff estimates one-time project costs of \$300,000. Additionally, depending on the desired level of enforcement, one or two Traffic Officers may be needed at an estimated annual cost of \$191,000 per Traffic Officer and a one-time capital cost of \$73,100 per police motorcycle.

ENVIRONMENTAL IMPACT: Receiving a report is not a project subject to CEQA. City Council's action is not considered a "Project" per CEQA Guidelines and therefore no further environmental analysis is required. Should a project be approved to reduce speed limits around schools, the project is categorically exempt under CEQA Guidelines Section 15301(c) – Existing Facilities.

RECOMMENDATION: Receive information on reducing speed limits to 15 mph near schools and discuss next steps with guidance to staff of the following options:

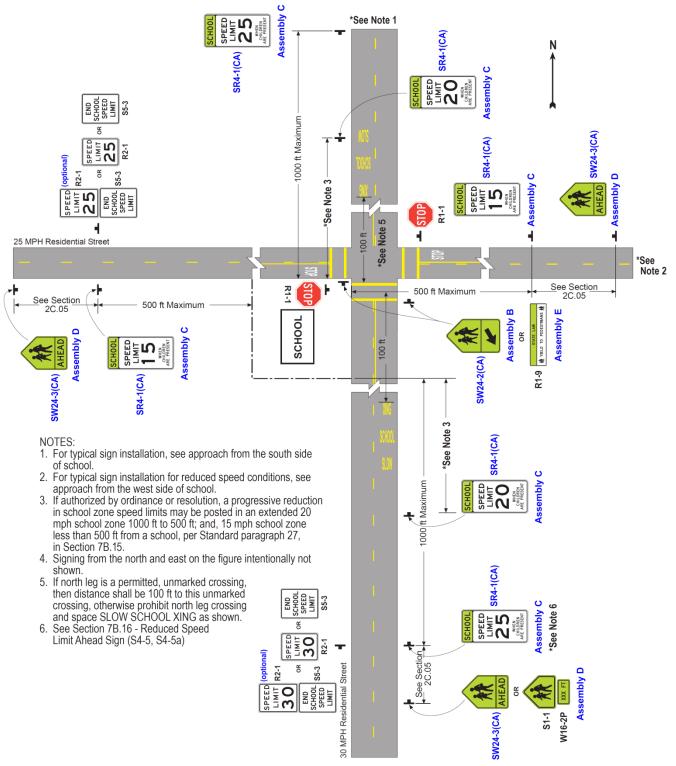
- 1. Direct staff to immediately identify funds to implement 15 MPH school zones when the regulation allows and includes funds for enforcement by the San Bruno Police Department (SBPD) in the City Manager's Proposed Budget for next fiscal year.
- 2. Request that staff bring this item back to the City Council for prioritization and identification of funding sources at an upcoming City Council budget study session for next fiscal year.
- 3. Take information into consideration and discuss next steps after the City Council receives the Safe Routes to School (SRTS) Plan in the Winter of 2022- 2023.
- 4. Request that the Traffic, Safety and Parking Committee (TSPC) look into this matter along with the Safe Routes to School (SRTS) Plan and provide a recommendation to the City Council.

ALTERNATIVES: Alternatives are identified above, under the Recommendation section.

ATTACHMENTS:

1. CA-MUTCD Figure 7B—103(CA)







City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Jennifer Dianos, Assistant to the City Manager

SUBJECT: Appointment of Two City Councilmembers to an Ad Hoc Subcommittee

for Public Opinion Poll Research Related to Potential November 2022

City-sponsored Ballot Measures

BACKGROUND: As directed by the City Council, staff is working to prepare analysis and ballot language for several potential City-sponsored ballot measures for the November 2022 general election. As a part of the ballot analysis effort, the City intends to conduct a poll of likely voters in the November 2022 election to gage interest and sentiments of several ballot measures and alternatives. The City has retained Godbe Research to conduct the poll. Godbe Research has 17+ years of experience conducting public opinion surveys for public and private agencies. The firm has conducted likely voter polls for the City of San Bruno in the past, most recently in 2020 for City measures on the November 2020 general election poll.

DISCUSSION: Prior to City Council consideration of a ballot measure(s) to be placed on the November 2022 general election, the City will work with polling experts to gage the interest and sentiment of San Bruno voters. To develop the poll, Godbe Research will review demographics and other information in order to design and refine a survey instrument which addresses the research objectives of the City. The City Council can choose to appoint two City Councilmembers to an ad-hoc subcommittee, which would also include staff, to help develop the survey instrument. This would include the development of the questions posed to the recipients of the survey / poll. Godbe Research would lead the process and conduct the survey and analysis.

The estimated time frame to conduct the public opinion poll is May, in order to receive and analyze the results prior to staff presenting proposed ballot measures for City Council consideration. That would require the subcommittee to meet during the month of April and May 2022.

Alternatively, should the Council choose to not appoint a subcommittee, staff would work directly with Godbe Research to develop the survey material.

FISCAL IMPACT: There is no budgetary impact associated with the establishment of a City Council Ad Hoc Subcommittee for public opinion poll research.

ENVIRONMENTAL IMPACT: There is no environmental impact.

RECOMMENDATION: Appointment of Two City Councilmembers to an Ad Hoc Subcommittee for Public Opinion Poll Research Related to Potential November 2022 City-sponsored Ballot Measures

ALTERNATIVES: Do not appoint a subcommittee and request that staff work directly with the public opinion research firm.

ATTACHMENTS: None



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: April 12, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Qianyu Sun, Finance Director

SUBJECT: Hold Public Hearing and Adopt Resolution Adjusting the Master

Fee Schedule to be effective on July 1, 2022

BACKGROUND:

The City contracted with Willdan Financial Services and completed a citywide user fee update in the spring of 2021. After several rounds of discussions, the City Council approved the fully burdened hourly staff rates, user fees and the User Fee Cost Recovery Policy on June 22, 2021.

The User Fee Cost Recovery Policy establishes cost recovery levels from low to full on the basis of a number of factors and states that "in order to lessen the impact of significant increases to existing fees, fees proposed to increase between 50-100% will be increased over two years. Fees proposed to increase by more than 100% will be increased over four years."

The Council Resolution on June 22, 2021 stipulates that new user fees "shall increase on July 1st of every year based upon the percentage increase for the twelve-month period of the previous calendar year of the Consumer Prices Index for all Urban Consumers for the San Francisco Area, as published by the United States Department of Labor, Bureau of Labor Statistics."

DISCUSSION:

Per United Stated Department of Labor, Bureau of Labor Statistics, the CPI increased by 4.2% for all urban consumers in the San Francisco metropolitan area. Staff applied the CPI increase to applicable user fees. Other user fees are adjusted in accordance with the direction of the User Fee Cost Recovery Policy.

In addition to user fees, the Master Fee Schedule contains other fees that were not covered by the Willdan study and those fees are adjusted to their own requirements. For instance, Development Impact Fees, Affordable Housing Impact Fees and Parking in-lieu Fees are to be adjusted to the California Construction Cost Index, which increased by

almost 17% from February 2020 to February 2021. The three types of fees are paid by developers for residential and non-residential development projects.

Proposed CED Fee Changes

While implementing Willdan's user fee studies in FY 2021-22, Community and Economic Development (CED) staff recognized certain services rendered that were not included as part of the master fee study. Staff also recognized fees that did not meet the cost recovery standards based on the time spent on projects. Staff completed fee study and justification as included in Attachment 2. Consistent with City Council policy to maximize cost recovery for development related services, Staff recommends changes or addition to planning and building fees for:

- Stop Work Notice
- Code Compliance Investigation
- Temporary Certificate Occupancy Review
- Request for New/ Change in Address
- Mitigated Negative Declaration
- SB330 Preliminary Review
- Condo Use Permit
- Expanded Categorical Exemption
- Variance Residential (Multi-Family) and All Non-Residential
- Temporary Certificate Occupancy Deposit
- > Technology Cost
- Administrative Fee for Plan Check (Plan Reviews) for 4th & subsequent submittal
- Newspaper Rack Permit
- General Plan Maintenance
- Work without a Permit- Investigation Fee

CED reviewed the fee schedules and made recommendations for updated fee amounts based on the time spent on the service and comparison of similarly structured neighboring Cities. Staff believes that adjusting fees to recover the direct costs involved is a responsible step in updating the City's Master Fee Schedule. The more direct costs recovered, the less the General Fund has to subsidize each fee service. Attachment 2 includes fee description, current fee, proposed fee, and justification for change.

Proposed Public Works Fee Changes

The Willdan User Fee Study established the Public Works Building Permit Plan review fee at 12% of the associated Building Permit fee. This established fee, as shown in Chapter 8 Section X.B, has not provided adequate funds for cost recovery. Staff is proposing to set a minimum flat fee of \$171.00 which is equal to one hour of Public Works Plan Review per Chapter 8 Section IX.B. The minimum flat fee will not be sufficient for full cost recovery, which is closer to 2.5 hours for the first review.

The City's ordinances and resolutions authorize adjustments to the fees as approved by the City Council by resolution, and shall take effect no earlier than sixty days following such approval. With the Council approval, staff recommends the updated Master Fee Schedule and proposed fee changes become effective July 1, 2022.

FISCAL IMPACT:

An accurate and complete forecast for the change in fee revenue in upcoming fiscal years is difficult. The updated Master Fee Schedule and proposed fee changes will bring the City one step closer to cover recovery.

With the Master Fee Schedule and fee changes approved by the City Council, staff can estimate the increase in fee revenue in the FY 2022-23 Proposed Budget, which will be submitted to the City Council in May 2022. These increases will reduce the burden on other General Fund revenue sources to support other critical projects and services. Staff will track fee revenue during the quarterly City Council updates.

ALTERNATIVES:

- 1. Request additional information to be provided prior to returning with user fees for City Council consideration and approval.
- 2. Do not proceed with the recommendations related to the City's Master Fee Schedule.

RECOMMENDATION:

Adopt a resolution adjusting the Master Fee Schedule to be effective on July 1, 2022.

DISTRIBUTION:

None

ATTACHMENTS:

- 1. Resolution
- 2. Community & Economic Development Department Proposed Fee Changes
- 3. Updated Master Fee Schedule effective July 1, 2022

DATE PREPARED:

March 25, 2022

RESOLUTION NO. 2022 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO ADJUSTING THE MASTER FEE SCHEDULE

WHEREAS, the City Council adopted resolutions updating the master fee schedule and adopting the user fee cost recovery policy on June 22, 2021;

WHEREAS, the above-referenced City resolutions require annual adjustments to the fees following a set schedule or reflecting changes in inflation on July 1 of every year;

WHEREAS, the Consumer Price Index for all urban consumers in the San Francisco metropolitan area increased by 4.2% and the California Construction Cost Index increased by 17%;

WHEREAS, staff recommends adjusting the Master Fee Schedule in accordance with the requirements of each fee; and

WHEREAS, while implementing Willdan's user fee study in FY 2021-22, Community and Economic Development (CED) and Public Works staff recognized certain services rendered that were not included as part of the user fee study. Staff also recognized fees that did not meet the cost recovery standards based on the time spent on projects.

WHEREAS, consistent with City Council policy to maximize cost recovery for development related services, staff completed fee study and recommends changes or addition to planning and building fees for:

- Stop Work Notice
- > Code Compliance Investigation
- Temporary Certificate Occupancy Review
- Request for New/ Change in Address
- Mitigated Negative Declaration
- SB330 Preliminary Review
- Condo Use Permit
- Expanded Categorical Exemption
- Variance Residential (Multi-Family) and All Non-Residential
- > Temporary Certificate Occupancy Deposit
- Technology Cost
- Administrative Fee for Plan Check (Plan Reviews) for 4th & subsequent submittal
- Newspaper Rack Permit
- General Plan Maintenance
- Work without a Permit- Investigation Fee
- Minimum Public Works Building Permit Plan Review Fee

WHEREAS, updated Master Fee Schedule and proposed fee changes will become effective July 1, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts the Master Fee Schedule and user fee changes as proposed.

Dated: April 12, 2022 128 of 206

I, Melissa Thurman, City Clerk, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Bruno this 25th day of May 2021 by the

AYES:	Councilmembers:
NOES:	Councilmembers
ABSENT:	Councilmembers:
ATTEST:	

Melissa Thurman, MMC City Clerk

following vote:

	Attachment 2				
Community & Economic Development Department Proposed Fee Changes					
		Fees based on S	Staff/Consultant Time		
Description	Current Rate	Proposed Rate	Justification		
Stop Work Notice	N/A- New Fee	0.5 FBHR increments (1 hour minimum)	Stop work notice generally operates in response to citizen complaints of alleged code violations or from referrals from other departments or inspector. At times, the stop work notices are initiated by Department staff such as for unpermitted construction underway, or situations of life-safety hazards or severe nuisance activities. The staff time may be associated with permits resulting from "Stop Work" and code compliance cases. These actions may be followed by additional legal sanctions, such as recordation, fines, or penalties. The overall objective of the code enforcement process is to motivate the property owner to discontinue the illegal use or activity and/or to obtain the required permits.		
Code Compliance Investigation	N/A- New Fee	0.5 FBHR increments	Staff is recommending FBHR based on the staff time consumed by bringing the development in compliance. Cases are investigated and, if appropriate, administrative citations, warning and/or violation notices are issued.		
Temporary Certificate Occupancy Review	N/A- New Fee	0.5 FBHR increments (1 hour minimum)	Staff is recommending FBHR fee based on the staff time spent to review and provide a temporary certificate of occupancy. Building Staff is authorized to issue a Temporary Certificate of Occupancy prior to completion of all work described in your permit, provided such portion (s) of the project are deemed safe to occupy. Staff will review the work plan that lists the work that needs to be completed on the project and the expected completion dates. Each additional hour of review, if any, will be assessed and required to be paid in full upon completion of the application process.		
Request for New/ Change in Address	N/A- New Fee	1 hr minimum FBHR at 0.5 hour increments	Staff recommends to introduce a new fee for request for new or change in address. When a new building or unit is proposed, a request for new address application should be made to the Building Division so that the new address(es) can be established. The address must be approved by the Building Official and must correspond with existing addressing. The service would be charged based on the Staff's time to ensure 100% recovery of the City's fully burdened cost.		
Mitigated Negative Declaration	\$ 10,000.00	Actual Cost - Deposit Required	Staff recommends to replace with the \$10,000 fee with the actual cost/ deposit. These projects require a deposit after a proposal is recieved from the environmental consultant, and an MND is upward of \$50,000. If the \$10,000 fee is kept, applicants would believe it is the total cost of the project.		
SB330 Preliminary Review	N/A- New Fee	Actual Cost - Deposit Required	SB 330 allows eligible housing development projects to submit a preliminary application, a questionnaire and checklist of required materials which, when deemed submitted shall have the effect of vesting the development requirements and standards in place at the time of determination.		
Condo Use Permit	\$ 3,220.00	Actual Cost - Deposit Required	Staff recommends to replace with the \$3,220 fee with the actual cost/ deposit. These projects require a thorough review by the Planning & Building team and should be 100% cost recoverable based on the staff time spent, which could be more or less than the current fee.		

Expanded Categorical Exemption	N/A- New Fee	Actual Cost - Deposit Required	Staff recommends to introduce a new environmental fee of Expanded Categorical Exemption. For new development projects that are consistent with the Transit Corridor's plan, there are several CEQA exemptions that can be used for the projects. One is an exemption for consistency with an existing specific plan. To prepare these, it requires the environmental consultant to still do an analysis of the project, do special studies and to prepare an initial study documenting the consistency with the current plan. The cost is typically lower than other CEQA documents, however it varies with projects. Staff recommends the fee calculation be based on actual staff/consultant time and cost.
Variance – Residential (Multi-Family) and All Non-Residential	\$ 5,000.00	Actual Cost - Deposit Required	Staff recommends to replace with the \$5,000 fee with the actual cost/ deposit. These projects require a thorough review by the Planning & Building team and should be 100% cost recoverable based on the staff time spent, which could be more or less than the current fee.
		Fees based on Service	s, Resources, and Staff Time
Temporary Certificate Occupancy Deposit	N/A- New Fee	50% of the Remaining Construction Value of Project	Staff recommends an adoption of TCO Deposit based on the 50% of the remaning construction value of the project. The occupancy of a building or portion of a building may be permitted before the certificate of occupancy is issued provided a temporary occupancy permit is obtained from the Building Official.
Technology Cost	5% of the building, mechanical, electrical and plumbing permit	5% of the building, mechanical, electrical, fire and plumbing permit	Staff recommends an addition of 5% of fire permit fee to be included in the technology cost. The additional of fire permit addresses upgrades to permitting systems and hardware. This surcharge will be prorated to building, planning, engineering, and fire fees.
Administrative Fee for Plan Check (Plan Reviews) for 4th & subsequent submittal	N/A- New Fee	\$223.50	Staff recomments an addition of Adiministrative Fee for Plan Review past 3rd submittal. The objective of the fee is to encourage applicants to thoroughly complete revisions within the first three plan reviews. Fourth and subsequent plan review services delays work on other developer projects.
Newspaper Rack Permit	N/A- New Fee	\$87.50	Staff recommends to add Newspaper Rack Permit cost based on fully burdened hourly rate required to complete the process. Staff would meet with applicant about permit process and coordinate application submittal. Staff would also review proposed location, coordinate internally, and process permit and issue permit and coordinate posting and placement with applicant. The approximate time to complete the application process would be 30 minutes. The proposed fee is based on 30 minutes of staff time to complete the review process. The permitting of newspaper rack is aimed to reduce the amount of sidewalk clutter associated with free standing news racks. Fixed pedestal news racks promote the safety and welfare and the aesthetic qualities of the City by controlling the placement, size, construction and appearance of news rack.

			·
General Plan Maintenance	\$ -	0.4% of Building Valuation	The FY 21-22 adopted fee for the General Plan Maintenance was 9% of the building permit fee for new construction. The current proposed FY 22-23 General Plan Maintenance fee is 0%, which does not cover the cost of developing the General Plan Amendment. The General Plan Maintenance Fee was intended to directly reduce financial support needed from the City's General Fund for Long Range Planning efforts. Original projections underestimated actual costs of creating the General Plan Amendment. Several other jurisdictions collect a development-related fee to help fund the maintenance of their General Plan. This fee mechanism was put in place by the State Legislature in 2002 (Government Code 66014(b)). The fee will eliminate sole dependence on the City's General Fund for future updates of the City's General Plan and community plans. This fee will cover the staff needed to implement and prioritize the General Plan Amendment, including rezoning key sites and updating community plans. Staff reviewed fees adopted by other neighboring Cities and recomments the fee structure to be 0.4% of the building valuation. Daly City charges 0.5% of Building Valuation, South San Francisco charges0 .16% of Building Valuation, Belmont charges 0.75% of Building Valuation.
			Penalty
Work without a Permit- Investigation Fee	N/A	Up to 10 X Permit Fee	Staff recommends an additional of a penalty for work without a permit. An investifation fee, in addition to the permit fee, shall be collected as a civil penalty, whether or not a permit is then or subsequently issued. The investigation fee shall be up to 10 times the building permit fee. The investigation fee shall be determined by the Building Official and shall be based on the staff time reasonably required to resolve all of the issues relegate to the work that has performed without a permit. No construction work shall be issued until the investigation fee has been paid in full. For reference, similar penalty adopted by Fire in Muni Code section 11.24.030 amended code section 106.1.2



CITY OF SAN BRUNO FY2022-23 MASTER FEE SCHEDULE Page Left Blank Intentionally



City of San Bruno City Council

Rico E. Medina, Mayor Linda Mason, Vice Mayor Tom Hamilton Marty Medina Michael Salazar

City Manager

Jovan D. Grogan

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Chapter 1: CityNet Services I. Franchise A. Franchise Fee Television revenues, as defined in California Public Utilities Code §5860 B. Public Educational Government (PEG) Fee per subscriber per month \$1.00

	II. Multi-Camera Field Production				
A.	Full Day	Actual cost			
B.	Half Day	Actual cost			
C.	Commercial Fee	Actual cost			
D.	Community Message	Actual cost			
E.	CityNet Technician Installation/Technical Fulfillment	Actual cost			

Chapter 2: City Clerk

I. Agendas, Transcripts, and Permits

A.	Permit to Distribute Advertising Material Thirty Consecutive Days (per subscriber per	
1.	month)	\$98.00
2.	Penalty	25% per month, max of 100%
B.	Bingo License (Fiscal Year)	\$409.00
	Candidate Statements Printing Fee per Resolution 2009-	
C.	53a*	\$700.00
	* A portion of the fee may be refundable based on actual cost as determine d by the County Election Office.	
D.	Certification of Records	Actual Cost

Chapter 3: Community & Economic Development

BUILDING FY2022-23			
	I. Building Permit Fees		
\$0 to \$2,000		Hourly rates apply	
\$2,001 to \$25,000	For the first \$2,001	\$318.20	
	additional \$1,000 or fraction thereof, to and including \$25,000	\$12.75	
\$25,001 to \$50,000	For the first \$25,001	\$611.53	
	each additional \$1,000 or fraction thereof, to and including \$50,000	\$17.83	
\$50,001 to \$100,000	For the first \$50,001	\$1,057.21	
	each additional \$1,000 or fraction thereof, to and including \$100,000	\$14.05	
\$100,001 to \$500,000	For the first \$100,001	\$1,759.31	
	each additional \$1,000 or fraction thereof, to and including \$500,000	\$8.22	
\$500,001 to \$1,000,000	For the first \$500,001	\$5,048.35	
	each additional \$1,000 or fraction thereof, to and including \$1,000,000	\$20.00	
\$1,000,001 to \$10,000,000	For the first \$1,000,001	\$15,046.37	
	for each additional \$1,000 or fraction thereof, to and including \$10,000,000	\$7.99	
\$10,000,001 to \$20,000,000	For the first \$10,000,001	\$87,013.14	
	for each additional \$1,000 or fraction thereof, to and including \$20,000,000	\$4.55	
\$20,000,001 and up	For the first \$20,000,001	\$132,592.08	
	Plus additional for each additional \$1,000 or fraction thereof	\$3.19	

Oommanity o	L Conomic Development		1 12022-23
	II. Electrical Permit and Rela	ted Fees	
Sec. 200	Permit Issuance		\$72.00
	System Fee Schedule	е	
Sec. 201	New Residential Buildings		20% of Building Permit
Sec. 202	New Non-Residential Buildings		18% of Building Permit
Sec. 203	For other types of residential occupancies and alterations, additions, and modifications to existing residential buildings		See Unit Fee Schedule
	Private Swimming Poo	ols	
Sec. 204	New private, in-ground swimming pool for single family/multi-family occupancy		\$316.00
Sec. 205	Other types of swimming pools, therapeutic whirlpools, spas, hot tubs and alteration to existing pools		\$235.00
200.200	Temporary Power Serv	vice .	+
	Temporary service power pole or pedestal		
Sec. 206	including all pole or pedestal-mounted receptacle outlets and appurtenances	each	\$105.00
Sec. 207	For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative light, Christmas tree sales lots, fireworks stands, etc.		
	Up to 20 outlets		\$104.00
	Each additional		\$7.00
	Unit Fee Schedule		Ų
	Receptacle, Switch and Lightin	ng Outlets	
	For receptacle, switch, lighting, or other outlets at which current is used or controlled (except		
Sec. 208	services, feeders, and meters)	each	\$8.00
Sec. 209	For lighting fixtures, sockets, or other lamp-holding device	each	\$8.00
_		_	
Sec. 210	For pole or platform-mounted lighting fixtures	each	\$56.00
Sec. 211	For theatrical-type lighting fixtures or assemblies	each	\$8.00

Community &	Economic Development	FY2022-23
	Residential Appliances	
Sec. 212	For fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained room, console, or through-wall air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliance not exceeding one horsepower (HP) in rating	\$26.00
	Non-Residential Appliances	·
	For residential appliances and self-contained factory- wired non-residential appliances not exceeding one horsepower (HP), kilowatt (KW), or kilovolt ampere	
Sec. 213	(KVA) in rating, including medical or dental devices; food, beverage, and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment	\$26.00
	Power Apparatus	
h	For motors, generators, transformers, rectifiers, synchronous converters, capacito eating, air conditioners and heat pumps, cooking or baking equipment and other a lows (Rating in Horsepower (HP), kilowatts (KW), kilovolt-amperes (KVA), or kiloreactive (KVAR):	apparatus, as
Sec. 214	Up to and including 1	\$26.00
Sec. 215	Over 1 and not over 10	\$52.00
Sec. 216	Over 10 and not over 50	\$65.00
Sec. 217	Over 50 and not over 100	\$117.00
Sec. 218	Over 100	\$156.00
	Signs, Outline Lighting and Marquees	
Sec. 219	For signs, outline lighting systems or marquees supplied from one branch circuit	\$78.00
Sec. 220	For additional branch circuits within the same sign, outline lighting system or marquee	\$26.00
	Services	
Sec. 221	For services of 600 volts or less and not over 200 amperes in rating	\$156.00
Sec. 222	For services of 600 volts or less and over 200 amperes to 1,000 amperes in rating	\$313.00
Sec. 223	For services over 600 volts or over 1,000 amperes in rating	\$470.00
	Miscellaneous Apparatus, Conduits and Conductors	
Sec. 224	For electrical apparatus, conduits and conductors for which a permit is required but for which no fee is herein set forth	\$50.00
	Other Inspections and Fees/Solar Electric Systems	
Sec. 225	Up to 3 kW panel output	\$260.00
	For each additional 1 kW or fraction; thereof, If any support structures elevating panels above the roof plane, or purpose designated independent array	
Sec. 226	structure, use the building permit fee for valuation	\$78.00

Sec. 227	Electric Battery Storage Units (13.5 kw)	\$156.00
Sec. 228	Stand by Power Systems (13.5 kw)	\$156.00
	III. Mechanical Permit and Related Fees	
Sec. 300	Permit Issuance	\$78.00
	System Fee Schedule	
	New Residential Buildings	20% of Building Permit
	New Non-Residential Buildings	18% of Building Permit
	Unit Fee Schedule	
Sec. 301	For the installation or relocation of each forced-air or gravity type furnace or burner, including ducts and vents attached to such appliances, up to and including 100,000 Btu/h	\$105.00
Sec. 302	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h	\$183.00
Sec. 303	For the installation or relocation of each floor furnace, including vent	\$105.00
Sec. 304	For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted heater	\$105.00
Sec. 305	For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$105.00
Sec. 306	For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls regulated by the Code	\$105.00
Sec. 307	For the installation or relocation of each boiler or compressor up to and including three horsepower, or each absorption system up to and including 100,000 Btu/h	\$105.00
Sec. 308	For the installation or relocation or each boiler or compressor over three horsepower, up to and including 15 horsepower, or each absorption system over 100,000 Btu/h to and including 500,000 Btu/h	\$105.00
Sec. 309	For the installation or relocation of each boiler or compressor over 15 horsepower, up to and including 30 horsepower, or each absorption system over 500,000 Btu/h to and including 1,000,000 Btu/h	\$105.00

Sec. 310	For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower, or for each absorption system over 1,000,000 Btu/h to and including 1,750,000 Btu/h	\$105.00
	For the installation or relocation of each boiler or	T
	refrigeration compressor over 50 horsepower, or each	
Sec. 311	absorption system over 1,750,000 Btu/h	\$361.00
	For each air-handling unit to and including 10,000	
Sec. 312	cubic feet per minute, including ducts attached thereto	\$341.00
Sec. 313	For each air-handling unit over 10,000 cfm	\$341.00
Sec. 314	For each evaporative cooler other than type	\$183.00
Sec. 315	For each ventilation fan connected to a single duct	\$105.00
	For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a	
Sec. 316	permit	\$183.00
	For the installation of each hood which is served by mechanical exhaust, including the ducts for such	
Sec. 317	hood	\$341.00
	For the installation or relocation of each domestic-	
Sec. 318	type incinerator	\$96.00
	For the installation or relocation of each commercial	
Sec. 319	or industrial-type incinerator	\$513.00
	For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is	
Sec. 320	listed in the Code or fee schedule	\$183.00

IV. Plumbing Permit and Related Fees				
Sec. 400	Permit Issuance	\$78.00		
	System Fee Schedule			
	New Residential Buildings	20% of Building Permit		
	New Non-Residential Buildings	18% of Building Permit		
	Unit Fee Schedule	•		
Sec. 401	For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection therefore)	\$78.00		
Sec. 401	For each building sewer	\$110.00		
Sec. 402 Sec. 403	Rainwater systems - per drain (inside building)	\$102.00		
Sec. 404	For each water heater (including solar powered) and/or vent	\$78.00		

Community & Ec FY2022-23

	For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type		
Sec. 405	grease interceptors functioning as fixture traps		\$313.00
Sec. 406	For installation, alteration, or repair of water piping and/or water treating equipment		\$78.00
Sec. 407	For repair or alteration or drainage or vent piping, each fixture		\$39.00
Sec. 408	For each lawn sprinkler system or any one meter, including backflow protection devices therefore		\$39.00
Sec. 409	For atmospheric-type vacuum breakers, not included above: 1 to 5		\$78.00
Sec. 409	For atmospheric-type vacuum breakers, not included above: Over 5	each	\$9.00
Sec. 410	For each backflow protective device other than atmospheric-type vacuum breakers: 2 inches and smaller		\$78.00
Sec. 411	For each backflow protective device other than atmospheric-type vacuum breakers: over 2 inches		\$105.00
Sec. 411	For each gas piping system of one to four outlets		\$105.00
Sec. 412	For each gas piping system of five or more outlets, per outlet in excess of 4		\$18.00

	V. Other Inspections and Fees				
Sec. 413	Inspections outside of normal business hours (Minimum charge - two hours)		1.5x FBHR for Overtime, 2x FBHR Holidays		
Sec. 414	Re-inspection Fees (for all services) – 1st re-inspection		No Charge		
Sec. 414	Re-inspection fee assessed under provisions of §305(g) of the UBC	each	\$156.00		
Sec. 415	Inspections for which no fee is specifically indicated (Minimum charge one-half hr)	hour	\$156.00		
Sec. 416	Additional plan review required by changes, additions, or revisions to approved plans (Minimum charge one-half hr)	hour	\$201.00		
Sec. 417	Investigative fee (shall be the same as permit fee), paid in addition to the permit fee		See §106.4.4 of CPC		
Sec. 418	Projects without a fee set. (Percentage maybe modified by the Community Development Director, to ensure 100% recovery of the City's fully burdened cost of providing the service.)		1.5% of valuation or contract amount		

plan check fee

plan check fee

Sec. 505

than described above

Community & E	c		FY2021-22	FY2022-23
	and Administrative Fee			
Sec. 506	Deposit (Minimum deposit of \$1,000 and Maximum deposit of \$1,	per estimated ton of debris	\$50.00	\$50.00
Sec. 500	of 1-hour fee shall	per estimated for or debris	φου.σσ	φ50.00
	be charged again the deposit.	per hour	\$144.00	\$144.00
		% of building permit fee for		
Sec. 507	General Plan Maintenance	new construction	9%	0%
	Green Buildings- For projects certified as LEED Silver or			
	higher (or a nationally recognized	% refund of plan review		
	equivalent) upon	and construction inspection		
Sec. 508	completion of the project	fees	10%	10%
	Green Buildings Surcharge			
0 500	(Minimum \$1 per Building	The Senate Bill 1473 (Green Fee is	64.00	¢4.00
Sec. 508	Permit application)	assessed per \$25,000 in valuation	\$1.00	\$1.00
		% of the building, mechanical,		
Sec. 509	Document Imaging Fee	electrical and plubming permit fee	3.25%	3.25%
	Commission of Disas Deposit (Minimum	0/ 26 22 22 22 22 22 22 24 24 24 24 24 24 24		
	Compliance Plan Deposit (Minimum deposit of \$500	% of remaining estimated value to completion as		
	and Maximum deposit of	determined by the building		
Sec. 510	\$250,000.)	official.	2%	2%
Soc 510	Fee (Minimum of 1- hour fee shall be charged against	per hour	\$144.00	\$144.00
Sec. 510	Tiour fee shall be charged against	per nour	\$ 144.00	\$144.00
Sec. 511	Residential Design Review		\$201.00	\$201.00
	Applications request	VII. Independent Inspe ing inspection for the purposes of dete		and
		y a non-refundable fee for such service		
Sec. 531	Detached single family dwellings	each	\$142.00	\$156.00
	Dotacinoù emigie ianimy avrennige		·	\$100.00
Sec. 532	Duplexes and multi-family dwellings Duplexes and multi-family dwellings	each	\$142.00	\$156.00
Sec. 532	units –	each	\$34.00	\$48.00
0 500			4440.00	0.450.00
Sec. 533	An Excess Housekeeping Unit @ ins	eacn	\$142.00	\$156.00
Sec. 533	inspections – additional unit (ADU)	each	\$34.00	\$48.00
000.000			ψο 1.00	Ψ10.00
Sec. 534	Pre-Site Inspections	each	\$142.00	\$156.00
	plan review fee when required by			
	§107.3 of the CBCm shall be paid at the	% of the building, mechanical,		
Sec. 535	time of plans or specifications submission. In addition to the	electrical and plubming permit fee	60%	60%
	PLAN CHECK (PLAN REVIEW) -			
	residents of three or more units and all other non-	% of the building, mechanical,		
Sec. 535	residential buildings	electrical and plubming permit fee	60%	60%
		After the first constructed building		
_	Plan Check (Plan Review) –	(model) of each type of design. No other changes can be made to the	60% of the building permit fee.	60% of the building permit fee.
Sec. 535	Production Construction	original planned construction or	50% of the normal plan check fees	50% of the normal plan check fees
		design of the building, or the full	creck rees	Check lees
		plancheck fee will apply		
	hourly fee may be			
	charged for plan check services, at		FBHR and/or actual	FBHR and/or actual
	the discretion of		consultant cost	consultant cost
Sec. 535	the Development Director, to			
	The City Manager, or designee,		Not more than 80% of the	Not more than 80% of the
	may authorize the refunding of any fee paid		permit fee	permit fee
Sec. 536	hereunder, which was		<u> </u>	<u>'</u>

Community & Ec	PLANNING		F Y 2022-23		
	Fees Related to Zoning Ordinance, Subdivision Ordinance, and Environmental Review of Development Projects VIII. Application Fees				
Section	- Deposit Required Description				
Cection	Pre-Application Consultation (Non- Transit Corridor Specific Plan)	Initial consultation not exceeding 1 hr., no cost. Deposit may be required	Actual Cost - Deposit Required		
	Transit Corridor Specific Plan Pre-Application Review	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	General Plan Amendment	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Zoning Change or Code Amendment	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Planned Development (PD)	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Planned Development Permit (PDP)	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Development Agreement	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Planned Unit Permit (PUP)	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Variance – Single Family Residential		\$3,175.00		
	Variance – Residential (Multi-Family) and All Non-Residential	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	\$5,000.00		
	Use Permit – Single Family Residential		\$2,992.00		
	Use Permit – Residential (Multi-Family) and All Non- Residential	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Use Permit (Drinking Place) - Bar	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		

	PLANNING			
Fees Related to Zoning Ordinance, Subdivision Ordinance, and Environmental Review of Development Projects VIII. Application Fees				
A. Actual Co	ost- Deposit Required continued			
Section	Description			
	Use Permit (Drinking Place) – in conjunction with restaurant	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Condo Use Permit Application Fee	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	\$3,220.00	
	Consultant Technical Studies and/or Peer Review of Technical Studies	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Special Event Permit Application	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Architectural Review Permit –Residential (Multi-Family) and All Non-Residential	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Architectural Review Permit – New Building	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Subdivision Sign Application Fee	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Master Sign Program Application Fee	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Tentative Tract or Parcel Map	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Lot Line Adjustment	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required	
	Improvement Plan	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	\$5,000.00	
	I	i	I	

	VIII. Application Fees (continued)				
Section	Description				
	Director's Determination Application Fee	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Density Bonus Planning Application Fee	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	Parking Compliance Application Fee	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost - Deposit Required		
	·				
B. Other Plan	nning Related				
	Condominium Project - Tax (per § 3.16.160 of the Code of Ordinances)	per unit	\$1,000.00		
	Single Family Residential - Tax (for sale units only) (per § 3.16.160 of the Code of Ordinances)	per unit	\$1,001.00		
	Hotel and Office (Medical, R&D, Administrative) - For net new floor area in Commercial Projects	per sq ft	\$12.00		

Committee	a Loonomio Bevelopinioni		1 12022 20
B. Other Pla	nning Related (continued)		
	Use Permit for Commercial Day Care Center Application		
	Fee		\$3,122.00
	Temporary Use Permit		\$2,456.00
	ABC Application Review		\$2,858.00
	Filming Permit		\$2,304.00
		plus Consultant	
	Architectural Review Permit – Single Family Residential	Costs	\$2,594.00
	Architectural Review Permit – Major Façade Alteration	0.000	\$2,775.00
	Administrative Review – Wireless Facility		\$4,110.00
	Sign Deviation		\$1,564.00
	Sign Permit Review		\$391.00
	Mailing Notification list Associated with Future or		ψ001.00
	Current Planning Application		\$1,678.00
	Zoning Clearance Permit		\$991.00
	Zoning Olearance i cirille	(Annual renewal	φ991.00
		required)	
	Short Term Rental Zoning Permit	required)	\$991.00
	Minor Modification Fee		\$1,287.50
	Miscellaneous Permit Application Fee		\$1,329.00
	Large Day care Permit fee (14 children or less)		\$1,409.00
			ψ.,.σσ.σσ
C. Miscellan	eous Application Review Fees		
<u> </u>	Administrative Review – Buildable Lot Determination		
	Specific Plan)		\$1,678.00
	Reasonable Accommodation Application Fee		\$1,509.00
	Rebuild Letter		\$1,289.00
	Zoning Conformance Letter		\$1,436.00
		1	+ 1,100100
	IX. Modification Fees		
Section	Description		Fee
	Madifications to Ammount Mana		#0.000.00
	Modifications to Approved Maps		\$2,000.00
	Planning Application / approval modification Application		
	fee		\$1,078.00
	First Time Extension Application Fee (by Community		
	and Economic Development Director)		\$1,109.00
	Second Time Extension Application Fee (by Planning		
	Commission)		\$1,757.00
	X. Appeal Fees		
Section	Description		Fee
	Appeal to Director's Decisions		\$500.00
	Appeal to Planning Commission		\$510.00
	Appeal to City Council		\$790.00

	XI. Environmental Dete	ermination	
Section	Description		Fee
Sec. 1100	Mitigated Negative Declaration	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	\$10,000.00
Sec. 1101	Environment Impact Report (EIR)	Applicants responsible for Actual Cost Staff Time and Consultant time. Deposit required	Actual Cost- Deposit Required
Sec. 1102	Filing with San Mateo County for Notice of Determination	Actual cost determined by Sa Mateo County Fee Schedule	Actual Cost- Determined by County Fee Schedule
Sec. 1103	Declaration or EIR Fish and Game Fee Waived	Actual cost determined by Sa Mateo County Fee Schedule	Actual Cost- Determined by County Fee Schedule
	XII. Other Review	Fees	
Section	Description		Fee
Sec. 1200	Performance Review for Alcoholic Beverage Sale		Actual Cost – Deposit Required
Sec. 1201	Alcohol Beverage Control License Mailing List no fee per AB624, January 1, 2002		No Cost
Sec. 1202	Digitization & Technology Fee		\$0.00
	XIII. Affordable Hous	sing Fee	
	Subject to increase July 1, 2022 based on CCCI		_
	Unit Type		Fee
	Single Family (per sq ft)		\$35.10
	Condominium (per sq ft)		\$32.50
	Apartment (per sq ft)		\$32.50
	Office (per sq ft)		\$16.25
	Retail (per sq ft)		\$8.12
	Hotel (per sq ft)		\$16.25

Community & Economic | Community & Economic |

XIV. Development Impact Fees						
Subject to increase July 1	, 2022 based on CCCI					
		Public	General			
Land Use	Community	Safety	Government	Transportation	Utilities	Total
Residential						
Single Family (per unit)	\$19,128.33	\$1,420.38	\$2,010.06	\$4,183.92	\$2,751.84	\$29,494.53
Multi Family (per unit)	\$17,957.16	\$1,419.21	\$1,886.04	\$3,237.39	\$2,583.36	\$27,083.16
Non-Residential						
Office (per sq. ft.)	\$10.71	\$0.71	\$1.16	\$8.62	\$2.13	\$23.33
Industrial (per sq. ft.)	\$4.26	\$0.28	\$0.46	\$3.45	\$1.33	\$9.78
Retail (per sq. ft)	\$6.90	\$0.76	\$0.75	\$11.10	\$13.26	\$32.77
Hotel (per room)	\$1,752.66	\$118.17	\$188.37	\$1,894.23	\$1,516.32	\$5,469.75

Community & Leonerine Development						
XV. Parking	n-Lieu Fee					
Subject to increase July 1, 2022 based	Subject to increase July 1, 2022 based on CCCI					
Description	Unit	Fee				
Transit Corridors Plan, and U.S. Navy Site Specific Plan Areas:						
Office Land Use	1 Stall	\$29,911.05				
Transit Corridors Plan, and U.S. Navy Site: Non-Office Land Use	1-5 Stalls	\$2,991.69				
Specific Plan Areas – All Non- Residential	6-10 Stalls	\$5,982.21				
Land Uses (Except Office Land Uses)	More than 10 Stalls	\$11,964.42				
Bayhill Specific Plan Area for Non-Resientail Land Uses		\$71,786.52				

01 1	A. Finance		FY2022-23				
Cnapter	Chapter 4: Finance I. Delinquencies						
Α.	Overdue Utility Invoice		\$10.00 or 10%, whichever is greater, delinquent 1 business day following due date				
			20% per month on the first calendar day of each month following August. Maximum delinquent charge, permissible by Municipal Code, 100% of				
B.	Overdue Business License Invoice		tax due.				
•	II. Business Tax Ser	VICES					
A.	New Business Application Fee		404.00				
	1. In-Town based business		\$64.00				
	Out-of-town based business		\$106.00				
В.	Special Business Tax Database Reports	per hour/ 1-hr minimum	\$271.00				
	III. Permits						
		Rate plus applicable fingerprinting and					
A.	Peddlers, Solicitors, Temporary Vendors – Application	Department of Justice Fees	\$232.00				
B.	Peddlers, Solicitors, Temporary Vendors – Appeal Denial of Application		\$419.00				

				FY2022-23
Chapt	er 5: Fire			
	I. Fees Related to Plan Checks, Pre-Inspections, Inspe	ections, Re-inspe	ections, and Fire Code Pe	ermits
	Description	Unit	Notes	Fee
A.	Fire Life Safety Plan Check Review	Per hour	1 hour minimum	\$255.00
B.	Pre-Inspection or Pre-Construction Consultation	Per hour	1 hour minimum	\$255.00
C.	Fire Safety Inspection	Per hour	1 hour minimum	\$255.00
D.	Re-inspection Fees (for all services) – 1st re-inspection			No Fee
	Re-inspection Fees (for all			Initial fee plus
E.	services) – 2nd re-inspection			25%
F.	Re-inspection Fees (for all services) – 3rd and each subsequent re-inspection			Initial fee plus 50%

Per hour

Per hour

Per hour

2 hour minimum

\$589.00

\$251.00

\$367.00

After hour inspections refers to all inspections performed after 5PM and prior to 7AM.

Expedite Building or Planning Check fees

Consultation and Planning

After Hour Inspections b

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	II. Gener	ral Business Inspection	
A.	1-2,000 sq ft.	Per unit	\$219.00
B.	2,001-5,000 sq. ft	Per unit	\$260.00
C.	5,001 to 10,000 sq. ft.	Per unit	\$300.00
D.	10,001 to 20,000 sq. ft.	Per unit	\$342.00
E.	20,001 to 40,000 sq. ft.	Per unit	\$383.00
F.	40,001 to 80,000 sq. ft.	Per unit	\$424.00
G.	80,001 to 120,000 sq. ft.	Per unit	\$465.00
H.	120,001 to 150,000 sq. ft.	Per unit	\$505.00
I.	150,001 to 200,000 sq. ft.	Per unit	\$545.00
J.	200,001 and up	Per Hour	Actual Cost

Fire Department FY2022-23

	iii. Multiple Dwelling Offits Affiliaar i ife inspection	on (3 or more units)	
	Multiple Dwelling Units Annual Fire Inspection (3 or more units) - Apartment Houses and Condominium		
1	complexes	Lesser of	
		Unit or	\$33.00
		Bldg	\$364.00
	Multiple Dwelling Units Annual Fire Inspection (3 or		
2	more units) - Motels, Hotels and Lodging Houses	Lesser of	
		Unit or	\$61.00
		Bldg	\$656.00
	Multiple Dwelling Units Annual Fire Inspection (3 or more units) - Large Complexes (over 150 living units or 9 or more buildings and may have private fire lanes		
_			
3	and/or private fire hydrants)	Greater of	
3	and/or private fire hydrants)	Greater of Unit or	\$2,995.00
3	and/or private fire hydrants)		\$2,995.00 \$300.00
3	and/or private fire hydrants) IV. Licensed Care Facilities	Unit or Hour	
3	IV. Licensed Care Facilities Pre-inspection of licensed	Unit or Hour	\$300.00
3	IV. Licensed Care Facilities Pre-inspection of licensed 1 community care	Unit or Hour	\$300.00 \$150.00
3	IV. Licensed Care Facilities Pre-inspection of licensed	Unit or Hour	\$300.00
3	IV. Licensed Care Facilities Pre-inspection of licensed 1 community care 2 Residential Care Facility +6 V. General Fire & Life Safety Ser	Unit or Hour	\$300.00 \$150.00
3	IV. Licensed Care Facilities Pre-inspection of licensed 1 community care 2 Residential Care Facility +6 V. General Fire & Life Safety Ser Consultation & Research, Pre-	Unit or Hour	\$300.00 \$150.00
	IV. Licensed Care Facilities Pre-inspection of licensed 1 community care 2 Residential Care Facility +6 V. General Fire & Life Safety Service Consultation & Research, Preapplication meetings & design	Unit or Hour	\$300.00 \$150.00 \$359.00 12% of Building Permit
3	IV. Licensed Care Facilities Pre-inspection of licensed 1 community care 2 Residential Care Facility +6 V. General Fire & Life Safety Service Consultation & Research, Preapplication meetings & design review, property survey, general	Unit or Hour	\$150.00 \$150.00 \$359.00 12% of Building Permit fees for
3	IV. Licensed Care Facilities Pre-inspection of licensed 1 community care 2 Residential Care Facility +6 V. General Fire & Life Safety Service Consultation & Research, Preapplication meetings & design	Unit or Hour	\$300.00 \$150.00 \$359.00 12% of Building Permit

Fire Department	FY2022-23
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VI. Fire Alarms/Fire Protection Systems	
Monitoring System	\$251.00
Manual System	\$251.00
Automatic System	\$415.00
Combination System	\$578.00
Emergency Responder Radio Coverage System	
Permit	\$508.00
Multi-Residential or Commercial Fire Alarm	
Remodel or Repair (Device relocation/adjustment	\$169.00
Fixed Fire Extinguishing System	\$333.00
Standpipe System	\$294.00
Storage Tank (above or below	
ground)	\$160.00

VII. Fire Sprinkler Systems

One- or two-Family Dwelling Fire Sprinkler System (NFPA 13D)	Flat fee including 2 inspections (additional inspections will be charged at the hourly rate of the staff who actuall perform each inspection)	\$578.00
Multi-Residential or Commercial Fire Sprinkler System (NFPA 13 or 13R) Permit – Single Story (incl. T.I) Permit – Multi story	Flat fee including 2 inspections (additional inspections will be charged at the hourly rate of the staff who actuall perform each inspection)	\$906.00
Multi-Residential or Commercial Fire sprinkler Remodel or Repair (Sprinkler head relocation/adjustment		\$251.00
Fire Service Line Inspection		\$251.00

Fire Department FY2022-23

	VIII. Mi	scellaneous		
	Fireworks Stand Safety		Additional Amount to cover City's illegal fireworks prevention costs will be prorated among all stands	
Α.	Clearance		according to gross sales	\$1,427.00
В.	Other Fire Service Detail – Engine or truck company	Per hour	Plus material	\$1,026.00
C.	Other Fire Service Detail – One person on fire watch detail	Per hour		\$270.00
D.	Response to False Alarms within any 30-day period – Single Engine: Third Response			\$396.00
E.	Response to False Alarms within any 30-day period – Single Engine: Fourth Response			\$777.00
F.	Response to False Alarms within any 30-day period – Single Engine: Fifth subsequent Response			\$1,144.00
G.	Response to False Alarms within any 30-day period – Full First Alarm Assignment: Third Response			\$1,206.00
Н.	Response to False Alarms within any 30-day period – Full First Alarm Assignment: Fourth Response			\$1,620.00
I.	Response to False Alarms within any 30-day period – Full First Alarm Assignment: Fifth and subsequent Responss			\$1,908.00
J.	Photographic Reproduction		Plus processing cost	\$88.00
K.	Driving Under the Influence (DUI) Emergency Response		Per Government Code Section 53150-58	Actual Cost
L.	Community Cardiopulmonary Resuscitation (CPR) Class - Residents			\$90.00
M.	Community Cardiopulmonary Resuscitation (CPR) Class – Non-Residents			\$97.00

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IX. General Permit	
Aerosol Products	\$325.00
Amusement Buildings	\$325.00
Aviation Facilities	\$377.00
Battery System	\$377.00
Carnivals and Fairs	\$325.00
Christmas Tree Lot	\$325.00
Combustible Fiber Storage	\$325.00
Combustible Material Storage	\$325.00
Compressed Gasses	\$325.00
Commercial Occupancy Assigned to Prevention	\$325.00
Commercial Rubbish-Handling Operation	\$325.00
Cryogens	\$325.00
Dry Cleaning Plants	\$325.00
Dust-Producing Operations	\$325.00
Exhibits & Trade Shows – Display Both	\$325.00
Exhibits & Trade Shows – With Open Flame	\$325.00
Exhibits & Trade Shows – Display Fuel Powered Equipment	\$325.00
Explosives or Blasting Agents	\$377.00
Fire Hydrants and Water Control Valves	\$325.00
Flammable or Combustible Liquids	\$377.00
Hazardous Materials	\$377.00
High-Piled Combustible Storage – 20,000 saure feet or less	\$377.00
High-Piled Combustible Storage – more than 20,000 feet	\$417.00
Highrise	\$335.00
Hot-Works Operations	\$325.00
Liquefied Petroleum Gasses	\$377.00
Liquid-or-gas fueled vehicles or Equipment in Assembly Buildings	\$377.00
Live Audiences	\$377.00

General Permit - Continued	
Lumber Yards storing in excess of 100,000 board feet	\$315.00
Magnesium Working	\$325.00
Motor Vehicle Fuel Dispensing Stations	\$325.00
Open Burning	\$325.00
Organic Coating	\$325.00
Ovens, Industrial Baking and Drying	\$325.00
Parade Floats	\$325.00
Places of Assembly	\$357.00
Production Facilities	\$357.00
Pyrotechnical and Special Effects Material	\$377.00
Radioactive Materials	\$325.00
Refrigeration Equipment	\$315.00
Repair Garage	\$325.00
Spraying and Dipping	\$325.00
Tents, Canopies, and Temporary Membrane Structures	\$335.00
Tire Storage	\$325.00
Wood Products	\$325.00
Mobile Food Truck	\$202.00

Chapter 6: Library

			FY2022-23
	I. Charges for Lost Material and Damaged Mate	erial and Missing Parts	
A.	Lost Item	Cost of item plus processing Fee	\$5.00
В.	Lost Periodical	Cost of item plus processing Fee	\$2.00
C.	Damage Material and Missing Parts		
	1. Minor Damage		\$3.00
	2. Severe Damage	Cost of item plus processing Fee	\$5.00
D.	Missing or damaged CD or Cassette for an audiobook or a missing CD-ROM or floppy disk accompanying a book or video item		\$10.00
	II. Other Charges		
A.	Replacement of Lost Library Card		\$2.00
В.	Reserving Materials (Per Item) Outside Peninsula Library System		\$10.00
C.	Peninsula Library System Reserve Item Not Picked Up		\$1.00
D.	Processing Fee for Lost Materials		\$5.00
E.	Proctoring Examinations		
	1. Resident		\$75.00
	2. Non-Resident		\$100.00
F.	Service Charge for Debt Collection		\$10.00
G	Charge for Faxing Services		
	1. First Page		\$2.00
	2. All subsequent pages	per page	\$1.00
Н	Computer/Photocopies Printouts		
	1. Black/White	per page	\$0.15
	2. Color	per page	\$0.30
I.	Community Room Rental Information Moved to Chapter 9.	I. Indoor Rentals	

Chapter 7: Police

FY2022-23

	I. Alarms and Fingerprinting			
A.	Repeat False Alarm Within a 180-Day Period			
	Third Alarm	\$100.00		
	Fourth Alarm	\$125.00		
	Fifth Alarm and subsequent alarms	\$150.00		
В.	Fingerprinting Service (Required for all Permits) Live scan	Actual Costs as established by the California Department of Justice plus staff time		

	II. Permits			
A.	Cardroom License and Permits			
		Rate plus deposit, actual cost		
	Gambling Club License	of staff time plus live scan	\$1,188.00	
-	Annual Renewal, table count	or stair time plus live scarr	\$1,188.00	
	*			
	2. Duplicate License		\$54.00	
	3. Cardroom License and Permits – Notary Fees		Actual Cost	
		Rate plus applicable		
		fingerprinting, Department of		
		Justice and notary fees as set		
В.	Work Permit, Initial	forth in GC 8211	\$374.00	
<u> </u>	Tronci omin, mina	19141111 00 0211	Ç37 4.00	
		Rate plus applicable		
		fingerprinting, Department of		
		Justice and notary fees as set		
	1. Renewals	forth in GC 8211	\$183.00	
	Duplicate Copy		\$53.00	
	Appeal Denial of Application		\$557.00	
C.	Pawn Broker/Secondhand Dealer			
	1. Dealer License	Rate plus live scan cost	\$599.00	

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Permits C	Continued		
	2. Employee, Initial	Rate plus applicable fingerprinting and Department of Justice fees	\$284.00
	3. Renewal	Rate plus applicable fingerprinting and Department of Justice fees	\$214.00
	4. Duplicate Copy	0.000000	\$53.00
	5. Appeal Denial of Application		\$557.00
D.	Places of Public Amusement, Public Dance, or Entertain	ment	
	1. Application	Rate plus applicable fingerprinting and Department of Justice fees	\$1,980.00
	2. Transfer License		\$1,872.00
E.	Appeal Denial of Application Sidewalk Vendors		\$2,213.00
	"Sidewalk vendor" or "vending" means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path		
		Rate plus applicable fingerprinting and Department of Justice fees	40.00.00
	1. Application		\$360.00
	III. Vehicle Servic	ees T	
Α.	Driving Under the Influence (DUI) Emergency Response		Actual Cost per Government Code Section 53150-58
	Vehicle Manslaughter	Rate or maximum allowed by law, which-ever is greater	\$1,080.00
	2. Stored Vehicle Release		\$131.00
	IV. Animal Contr	al .	
	IV. Allilla Collu		
	Animal Control Services		Fees shall be consistent with those charged by the SMC Division of Animal Control Services

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	V. Residential Permit Parking			
A.	Permit Issuance (1st Permit)		No Fee	
B.	Permit Issuance (2nd Permit)	per year	\$50.00	
C.	Replacement Sticker		\$61.00	
	Visitor/Guest/Caregiver Parking Placard (6 guest passes		45.00	
D.	per month)	Rate per day	\$5.00	
		Rate per week	\$50.00	

VI. Miscellaneous			
A.	Police Report Reproduction		\$18.00
B.	Photographic Reproduction:		\$39.00
C.	Audio Recording Reproduction:		
	* Subpoena required* Civil Subp \$15/Criminal Subp no charge		
	1. Production Reproduction		\$115.00
	2. Duplication:		\$25.00
	3. Booking Fee		SMC Rate
D.	Visa Clearance Letter		\$26.00
E.	Police Safety Plan Check		Actual cost
F.	Party Nuisance Response Fee (Third Response in Twenty-Four Hour Period)		Actual cost
<u> </u>	Civil Subpoena		\$15.00
G.	Civil Subpoena – Officer Appearance		\$275.00
Н.	Contractual Outside Detail for Uniformed Officers: All Other		\$230.00
l.	Storage of Firearm		\$150.00
	Storage of Firearm – each additional (see Appendix)		\$25.00
	Storage of Vehicles Towed to SBPD and stored as evidence, charges commence 30 days after written notice to R/O, L/O and or insurance, etc. of needed release (See Appendix CA Vehicle Code Section 22850.5)	Rate per day (Amount determined by OPTS Tow Rotation)	\$85.00

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VII. Massage Establishment			
Establishment Certificate for Non-Practitioner Owners – Basic Fee		Actual Costs of investigations and background checks	
Investigation CAMTC/Verification/Processing/Safety Inspection			
Establishment Certificate for Non-Practitioner Owners – Bi-Annual Renewal Basic Fee Annual Renewal Basic Fee		Actual Costs of investigations and background checks	
Investigation CAMTC/Verification/Processing/Safety Inspection			
Establishment Certificate for Practitioner/Owner – Basic Fee		Actual Costs of investigations and background checks	
Verification/Processing/Safety Inspection			
Establishment Certificate for Practitioner/Owner – Bi- Annual Renewal Basic Fee Verification/Processing/Safety Inspection		Actual Costs of investigations and background checks	
Appeal Process for Denial – Non-Practitioner Owners	Rate plus actual time spent x rate per hour	\$500.00	
Investigation CAMTC/Verification/Processing/Safety			
Appeal Process for Denial –Practitioner/Owner Investigation CAMTC/Verification/Processing/Safety	Rate plus actual time spent x rate per hour	\$250.00	
See Appendix under Massage:			

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VIII. Administrative Fines	
Administrative Fines for violations of Title 5 (Nuisances), Chapters 5.04 and 5.08 of Municipal Code – First Violation	\$100.00
Administrative Fines for violations of Title 5 (Nuisances), Chapters 5.04 and 5.08 of Municipal Code – Second Violation of the same provision	\$200.00
Administrative Fines for violations of Title 5 (Nuisances), Chapters 5.04 and 5.08 of Municipal Code – Third Violation of the same provision	\$500.00
Administrative Fines for violations of Title 5 (Nuisances), Chapters 5.04 and 5.08 of Municipal Code – Late Payment fee	10% of unpaid balance
Building and Safety Code Administrative Fines for violations of Title 5 (Nuisances), Chapters 5.04 and 5.08 of Municipal Code – First Violation	\$100.00
Building and Safety Code Administrative Fines for violations of Title 5 (Nuisances), Chapters 5.04 and 5.08 of Municipal Code – Second Violation of the same provision	\$500.00
Building and Safety Code Administrative Fines for violations of Title 5 (Nuisances), Chapters 5.04 and 5.08 of Municipal Code – Third Violation of the same provision	\$1,000.00
Building and Safety Code Administrative Fines for violations of Title 5 (Nuisances), Chapters 5.04 and 5.08 of MunicipalCode – Late Payment fee	10% of unpaid balance

Chapter 8: Public Works

FY2022-23

	I. Encroachment Permit		
Α.	Sidewalk or Street Closure/Traffic Control – No Excavation (Includes Permit and 1 hour of Engineering Review)	Rate plus Actual Cost of any additional plan review and inspection cost	\$237.00
В.	Minor Encroachment (Includes Permit, 1 hour of Engineering Review and up to 2 Inspections) <i>a</i>	Rate plus Actual Cost of any additional plan review and inspection cost	\$463.00
	a. Minor Encroachment Defined: Any type of encroachment out deeper than 12 inches or, in the case of sidewalk replacement, Encroachments include sidewalk, driveway approach and curb	is not more than 75 square	e feet. Typical Minor
	Performance Deposit (Refundable upon satisfactory completion of work)		\$300.00
C.	Regular Encroachment Permit (Includes Permit, 1 hour of Engineering Review, and up to 2 Inspections) c	Rate plus Actual Cost of any additional plan review and inspection cost	\$350.00
	c. Regular Encroachment Defined: Any type of encroachment to requires excavation deeper than 12 inches, or, in the case of si Typical regular encroachments include trenching within any structure connection to any City-owned or public owned utility or facility, flow of traffic or public parking. Other types of regular encroach construction that will be dedicated for public use.	dewalk replacement, is 75 eet, public parking area or or any use of a public stree	square feet or larger. public utility easement, et which might affect the
	Performance and Payment Bond or Deposit (Refundable upon satisfactory completion of work; Contractors who obtain more than 5 permits annually through the City, may be required to obtain a blanket performance bond in lieu of individual deposits.)		Up to 100% of Value of Work (\$600.00 minimum)
D.	Defined: Cost of staff time charged at the current fully burdened hourly rate, reimbursement of third-party costs, and/or other direct costs as relevant (Drawdown deposit may be required for large or complex encroachment)		Actual Cost
E.	Penalty for commencing work without a permit		2% of Value of Work (\$600.00 minimum)

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II. Parking Space Restriction

A. Short-Term			
	Residential Zone Parking Space Restrictions	per week / per space	\$75.00
	Metered spaces will additionally be charged the full day's rate to occupy the space for the duration of the permit.		
	Commercial Zone Parking Space Restriction	per week / per space	\$150.00
	Metered spaces will additionally be charged the full day's rate to occupy the space for the duration of the permit.		
	3. Debris bin / Storage bin / PODs	per week	\$75.00

B. Long-Term

All requests to have curbs painted for no parking, loading zones, limited time duration, accessibility, or any other purpose for the benefit of that specific property shall be assessed a fee to cover all costs associated with the analysis and public approval process necessary to complete the request. This fee covers the analysis and public approval process. After approvals are obtained, the applicant will be provided a separate invoice for the cost of any signage or painting work.

Residential Special Parking Restriction (Design and Public Approval Process)	Rate per Hour plus Actual Cost of any signage or painting work	\$1,355.00
2.Commercial Special Parking Restriction (Design and Public Approval Process)	Rate per Hour plus Actual Cost of any signage or painting work	\$3,719.00
3. Site Inspections for Preliminary Analysis		\$171.00

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	III. Grading Permits			
A.	Permit Filing	\$173.00		
B.	Plan Checking / Engineering Review / Inspection (Includes third-party cost)	Actual Cost		
C.	Performance bond	Up to 100% of value of work (\$600.00 minimum		
D.	Penalty for commencing work without a permit	2% of value of work (\$600.00 minimum)		

IV. Oversize / Overweight Vehicle Permit					
Permit allows for the operation of vehicles of a size, load weight or vehicle weight exceeding the maximum specified in the Vehicle code of the State of California on certain City streets.					
A.	A. Single Trip \$16.00				
B.	Annual Permit	per year	\$90.00		

	V. National Pollutant Discharge Elimination System (NPDES) Fees				
A.	Construction (LID/BMP Inspection) Actual Cost				
В.	Post-Construction (BMP Inspection) (Not applicable for sites with only Vault Based Stormwater Treatment Systems)	per year	\$158.00		
C.	Commercial – Restaurant		\$460.00		
D.	Industrial – General / Automotive / Gas Station		\$460.00		
E.	NPDES Re-inspection Fee / Incidence Response	per hour	\$150.00		

	VI. Wastewater Discharge Permit				
	The Water Quality Control Plant is jointly owned by the City of San Bruno and South San Francisco and operated by the City of South San Francisco.				
A.	Significant Industrial User (Every 3 years)	Rate plus Actual Cost of South San Francisco fee if any			
В.	Moderate Industrial User (Every 3 years)	Rate plus Actual Cost of South San Francisco fee if any			
C.	General / Groundwater Discharge Permit (Every 3 years or as conditions change – Includes Permit, 2 hours of Engineering Review, and up to 2 Inspections)	Rate plus Actual Cost of any additional plan review, inspection, South San Francisco fee if any, and wastewater treatment costs			
D.	Review, Monitoring, or inspections for Wastewater Discharge Permit	Actual Cost	Actual Cost		
E.	Wastewater Lab Testing / Analysis	Actual Cost	Actual Cost		

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VII. Agreements			
A.	Revocable Encroachment Permit		\$615.00
В.	Assignment and Assumption Agreement		\$615.00

VIII. Small Wireless Facility			
Α.	Small Wireless Facility in Public Right-of-Way or Public Utility Easement (Includes up to a total of 350 mailings)	Rate plus Actual Cost of any additional mailings and third- party cost plus 20% administrative fee	\$4,727.00
B.	Appeal		\$225.00

IX. Public Works Hourly Rate			
A.	Inspection Services	per hour	\$150.00
B.	Plan Review and Advanced Inspection Services	per hour	\$171.00

X. Miscellaneous Fees and Permits			
Α.	Street / Easement Vacation or Abandonment or Other Engineering-Related Request		Filing Fee plus Actual Cost
B.	Public Works Building Permit Plan Review		12% of Building Permit
C.	Filing Fee		\$173.00
D.	Sewer Lateral Inspection (Point of Sale)		\$100.00
E.	Water Service Connection (Includes Labor, Equipment and Materials and Administrate Fee plus Capacity and Service Charges as applicable)		Actual Cost
F.	Hydrant Flow Testing (Includes 1 hour of Portable Generator, 1 hour of Two Trucks with Tools, and Water Usage Charge per Hydrant Test)	per Hydrant (2 hydrant minimum)	\$776.00
G.	Block Party Permit (Assumes City Council approval is not necessary)	Rate plus Actual Cost of Corporation Yard labor, Insurance Rider Premium, and other department cost if any	\$150.00
H.	No Parking Signs	each	\$2.70
l.	Property Records Request	per hour	\$171.00
J.	Technology Fee		4.00%
K.	Permit Extension Beyond Expiration (Fee may be waived at the discretion of the Public Works Director)	Rate plus Actual Cost	\$75.00

XI. Restrictions on Encroachment

No non-emergency encroachment shall be allowed in any street that has **been overlaid with asphalt within the previous five years**. In the event an emergency has caused an excavation in such a street, the Encroachment Permit fee shall be increased by the amount of \$5.00 per square foot of patch for every year (or portion thereof) remaining of the aforementioned **five-year** period.

No non-emergency encroachment shall be allowed in any street that has **received a seal coat within the previous two years**. In the event an emergency has caused an excavation in such a street, the Encroachment Permit fee shall be increased by the amount of \$5.00 per square foot of patch for every year (or portion thereof) remaining of the aforementioned **two-year** period.

XII. Waiving of Encroachmen	nt Fees	
If work or an improvement that encroaches in the public right-of-way is considered a public good or benefit, the Public Works Director is authorized to waive any and all fees related to such encroachment		Determined by the Public Works Director

Chapter 9: Parks & Recreation

FY2022-23

I. Indoor Rental

HOURLY RENTAL BASE RATES

The BASE RATE is the room rental rate BEFORE any discount is applied. It is applicable to all private and businesses rentals that do not fall within the Non-Profit or Resident category.

Community Centers

Belle Air Community Center	\$63.00
Portola Community Center	\$63.00
Senior Center	
Senior Center Conference Room	\$94.00
Senior Center Craft Room	\$94.00
Senior Center Assembly Room	\$164.00
Senior Center Kitchen Rental	\$200.00

(Hourly Use for Kitchen Only WITHOUT Assembly Room)

Library Community Room

Library Community Room \$88.00

DISCOUNT RATES

DISOUNT RATES are applicable to hourly rental rates only. Only 1 discount rate may apply.

50% - Non-Profit Discount

San Bruno based service or community organization recognized as providing programs and activities for the benefit of the San Bruno community.

20% - Resident Discount

San Bruno resident or business possessing current San Bruno business license.

Off Peak | Extended Rental | Multi-Room (May be applied to Base Rate Rentals Only)

20% - Off Peak Hours (M-F 10 am - 4 pm)

20% - Extended Rental (at least 6 months/year & 2 days/month)

ADDITIONAL FEES

Rental Deposits (Required to reserve a date.)

Rentals up to \$400 Pay in Full

\$400 or 50% of the total rental fee - whichever is

Rentals above \$400 greater

Cancellation Fees

More than 6 months prior to the event

No Fee

31 - 180 days prior to the event

Less than 30 days prior to the event

100% of Rental Deposit

Final Payment Late Fee \$50 per day

Damage & Recycling Deposit (Refundable)	The lessor of 2x the Hourly Rental Rate or \$500
Staffing	
Facility Attendant Hourly Rate	\$25.00
Senior Center Kitchen with Rental	
FLAT RATE w/Assembly Room Rental	\$100.00
Alcohol Permit Processing Fee	
Does not include permit to sell	\$37.00

Parks & Recreation FY2022-23

II. Outdoor Rental (Daily Rental)

DAILY RENTAL FEE BASE RATES

The BASE RATE is applicable to all private and businesses rentals who do not fall within the Non-Profit or Resident category.

Small Picnic Area \$110.00

City Park 1-5 and 8-11

Commodore Park and Grundy Park - Peak

Medium Picnic Area \$120.00

City Park 6, 7 and 12 - Peak

Large Picnic Area \$400.00

City Park 14 (Beckner Shelter) - Peak

DISCOUNT RATES

20% - Non-Profit and Residents

San Bruno based service or community organization recognized as providing programs and activities for the benefit of the San Bruno community; or a San Bruno resident or business possessing current San Bruno business license.

ADDITIONAL FEES

Damage & Cleaning Deposit \$150.00

Large Picnic Area: City Park 14 (Beckner Shelter)

Alcohol Permit Processing Fee \$37.00

Does not include permit to sell

III. Concession Stand at Tom Lara Field

The Concession Stand at Tom Lara Field may be rented to Non-Profit Groups, Service Organizations, or School District programs only for the benefit of the San Bruno Community. Rental rates are flat fee for a consecutive 2-week period.

2 Week Rental Rate

March, April	\$200.00
May, June, July, August	\$300.00
September, October	\$150.00

Daily Rental Rate

Daily Rental Rate may only be applied for a one day reserved within a 2 week period

within a 2 week period \$75.00

Damage & Cleaning Deposit \$150.00

IV. Athletic Fields & Tennis Courts (Hourly Rates)	
Athletic Field Rental for Other than Organized Youth Sports	
Non-Profit	\$20.00
Resident	\$40.00
Base Rate	\$50.00
Sport Field Lighting Fee Hourly	
Diamond 2 & 3	\$10.00
Diamond 2 & Center Field	\$18.00
Center Field Only	\$8.00

Lara & Center Field	\$20.00
Lions Baseball Field	\$12.00
Lions Football Field	\$6.00
Field User Fee (Per Player Per Season Organized Youth Sports Only)	
Non-Profit Resident	\$10.00
Base Rate	\$15.00
Tennis Court (Fees are per count)	
Non-profit / Resident	\$7.00
Base Rate	\$10.00

Parks & Recreation FY2022-23

V. Tree Fees	
New Street Tree Fee	N/A
Private Tree Pruning Permit	\$70.00
Private Tree Removal Permit	\$105.00
Private Tree Replacement Fee (Refundable) (One – 36" box tree or two 24" box trees per tree removal)	\$415.00
Private Tree Non-Replacement Fee. (In lieu fee, per tree removal)	\$415.00
VI. Memorials	
Memorial Plaque Memorial Bench Memorial Tree	\$400.00 \$1,200.00 \$800.00

Chapter 10: Miscellaneous, Citywide

FY2022-23

	I. Other Services	
A.	Photocopies	
	Public Records Act Request	
	a. Printed Document: per page copied	\$0.25
	b. Digital Copies	Actual Cost
	2. All Other Request	
	a. Standard Sizes – 8.5"x11", 8.5"x14", 11"x17"	\$0.25
	b. All other sizes or color copies	Actual Cost
	c. City Documents, including digital format	Actual Cost
B.	Returned Checks Due to Insufficient Funds	
	First Check (per fiscal year)	\$25.00
	2. Each Subsequent Check	\$35.00
C.	Overdue Invoices	\$0.10

Appendix: CityNet Services FY2022-23 **Internet and Local TV Channels** 1 Gigabit Internet & Local TV Channels (Available only in fiber-built service \$85.00 Up to 300 Mbps Internet & Local TV Channels \$70.00 **Cable Television Service** Preferred TV \$103.55 Limited Cable Service \$20.55 Expanded BasiC Not Offered **Bulk Services** \$7.02 **Bulk Basic Bulk HBO** \$5.87 Pay-Per-View Pay-Per-View Movies Varies Varies Pay-Per-View Special Events Video on Demand Pay-Per-View Service **VOD Library Movies** Varies **VOD New Release Movies** Varies Varies **VOD Events Seasonal Sports Subscription Packs** Varies NHL, MLB, NBA, NFL, MLS and Cricket **Premium and International Programming Services** Premium Programming Services (Multiplex) A la Carte HBO (11 channels) \$25.86 Showtime (11 channels) \$25.86 The Movie Channel (4 channels) \$25.86 Cinemax (7 channels) \$25.86

Appendix - CityNet	FY2022-23
Starz! Superpack (19 channels)	\$25.86
Encore (12 channels)	\$25.86
One A La Carte Premium	\$25.86
Choice	\$39.79
Two A La Carte Premium Choices	
Choices	
All A La Carte Premium	\$68.00
Channels	
International Programming Services	
Arabic	
ART	\$16.09
Korean	
MBC	\$16.77
	Included In Local TV
tvK1	Channels
Chinese	
Zhong Tian	
CCTV-4	
Zhong Tian + CCTV-4	
Package	
Italian	
RAI	\$12.94
Filipino	
TFC	\$15.66
GMA Pinoy	\$15.66
GMA Life	\$12.94
GMA+TFC Package	\$24.50
GMA+GMA Life Package	\$24.50
TFC+GMA+GMA Life Package	\$35.95
Myx from ABS-CBN	
French	
TV5	\$12.94
South Asian/Hindi	
Zee TV	\$17.47
Sony TV	\$17.47
Sony TV+Zee TV Package	\$26.99

Appendix - CityNet	FY2022-23
Japanese	
TV Japan	\$29.92
Russian	
RTN	\$18.27
Channel 1 Russia	\$16.99
Impact TV	Not Offered
Russian Package (All 3 channels)	\$25.20
Spanish	
Canales Pack	\$18.94
Vietnamese	
SBN	\$18.17
Digistar (Expanded) Basic	
Encore Pack	Not Offered
Digistar Premium Programming Packages	
Stellar Pack	Not Offered
Stellar 2 Pack	Not Offered
Stellar 3 Pack	Not Offered
Stellar 4 Pack	Not Offered
Stellar Galaxy	Not Offered
Star Pack	Not Offered
Star 2 Pack	Not Offered
Star 3 Pack	Not Offered
Star 4 Pack	Not Offered
Star Galaxy	Not Offered
Super Nova Pack	Not Offered
Super Nova 2 Pack	Not Offered
Super Nova 3 Pack	Not Offered
Super Nova Galaxy Pack	Not Offered
HD Receiver and Remote (included HD Basic)	Not Offered
HD Plus	Not Offered
	First Receiver free: Second
	receiver onwards
SD Receiver and Remote	\$2.99/mo.
Lost or Damaged SD Receiver	\$250.00
Lost or Damaged HD Receiver	\$250.00
Lost or Damaged SD DVR	\$250.00
Lost or Damaged HD DVR	\$300.00
Lost or Damaged EMTA	\$75.00
Lost or Damaged Modem	\$50.00
Lost or Damaged Remote Control	\$5.00

One-time and Ancillary Services Fees	
Cable TV Service Activation	\$50.00
Cable TV On-Site Installation (Primary Outlet)	\$40.00
On-Site Installation (Each Additional Outlet)	\$40.00
Reconnect Charge (Within Six Months of Voluntary Disconnection)	\$40.00
Delinquency Reconnect Charge (Increases by \$5.25 Each Time Service is Disconnected for non-payment)	\$25.00
Outlet Relocation (Each Outlet)	\$40.00
Audio/Video Equipment Connection	\$50.00
TV Guide	\$4.68/mo
Non-Standard Service Rate	\$120/hr
Returned Check Charge	City/Rate
Personal Messages San Bruno T.V. Channel No. 1	,,
One to Three Days	\$25.00
Four to Seven Days	\$50.00
High Speed Internet Service	
Installation of Any High-Speed Internet Service	\$50.00
Standard Modem Purchase	\$50.00
Wireless Modem Purchase	Not Offered
Additional Static IPs, each monthly	Not Offered
Service	
Basic Internet 5 Mbps/265 Kbps/25GB	Not Offered
Level 1 75 Mbps down/5 Mbps up/500GB	Not Offered
Level 2 100/5/600 GB	Not Offered
Level 3 300/10/500 GB	Not Offered
Bandwidth Surcharge per GigaByte (GB)	Not Offered
Domain Name Hosting, per month	Not Offered
Vanity Domain Name Service (DNS), per	
modification	Not Offered
Business Services	
1 Gig Symmetric Internet and 2 phone line	\$300.00
(Only available in fiber built areas)	
300 Mbps Symmetric Internet and 2	\$150.00
phone lines	
(Only available in fiber built areas)	Not Offered
75/10 Mbps with 2 phone lines	Not Offered
50/10 Mbps	

Dedicated Internet Access (DIA) over Ethernet DIA 25/25 with 24 hour monitoring, port fee and support DIA 50/50 with 24 hour monitoring, port fee and support	
DIA 50/50 with 24 hour monitoring, port fee and support	
	Not Offered
	Not Offered
DIA 75/75 with 24 hour monitoring, port fee and support	Not Offered
DIA 100/100 with 24 hour monitoring, port fee and support	Not Offered
DIA 150/150 with 24 hour monitoring, port fee and support	Not Offered
DIA 200/200 with 24 hour monitoring, port fee and support	Not Offered
DIA 100+ Mbps Ethernet (per Mbps)	Not Offered
Point-to-Point Ethernet (per Mbps)	Not Offered
Digital Phone Service (Rates do not include taxes and fees.)	
Basic Phone Service	7.50
included unlimited local and domestic long distance and comprehensive suite of calling features)	
Expanded Phone Service	Not Offered
Includes unlimited local, domestic long distance,	
and international calls to 15 pre-selected countries c,	
and comprehensive suite of calling features d.)	
Additional Basic Phone Line (same service as above)	Not Offered
Additional Expanded Phone Line (same services as	
above) International Callinge	Not Offered
Basic Fax Line	Not Offered
√irtual Numbers	Not Offered
One-time Installation Charge per Line	Not Offered
One-time Local Number Portability Charge per Line	Not Offered
EMTA Rental Fee	1.95
Jnreturned EMTA Charge	75.00
411 Directory Service Charge per call	
Operator Assistance per call	
Jnreturned GPON EMTA	230.00
Commercial Phone Service (Rates do not include taxes and fees.)	
Business Line (Unlimited)	39.95
-ax Line	Not offered
Line Activation (Business Line or Fax)	Not offered
SIP Trunk (per)	Not offered
OID (per)	Not offered
P PBX (per Extension)	Not offered
Minutes (per outbound minute)	Not offered

Appendix - CityNet FY2022-23

c Pre-selected countries include: Canada, China, Argentina, Russia, Korea, Germany, Italy, France, Ireland, Greece, Australia, Spain, UK, Japan and Hong Kong (mobile only). No cell phone numbers would be applicable, except in the case of Hong Kong.

d Caller ID, Caller ID Name, Call Waiting, Call Waiting Caller ID, Call Transfer, Repeat Dial, Return Call, Call Forwarding, Auto-Forward Call if

power fails, Hunt Groups (Call Forward Busy), Call Forward No Answer (Follow Me Services), Call notification via text messaging,

Voicemail, Voicemail to email, Anonymous Call Blocking, Subjective Call Blocking, Telemarketer tone block, Outgoing Call ID block,

Distinctive Ringing, Do Not Disturb, Wake Up Calls, Speed Dial numbers, and 3-Way Calling.

e Most other countries not included in Note m above c

1-800 Service (per line)	Not Offered
1-800 Minutes (per inbound minute)	Not Offered
Virtual Numbers (per)	Not Offered
Phone Rental	Not Offered

Digital Phone and Internet Double Play Packages (Rates do not include taxes and fees.)

Basic Internet + Digital Phone	Not Offered
Internet Level I + Digital Phone	Not Offered
Level 2 + Digital Phone	Not Offered
Level 3 + Digital Phone	Not Offered
Level 4+ Digital Phone	Not Offered

Cable and Internet Double Play Packages (Rates do not include taxes and fees.)

Limited + Level I Internet	Not Offered
Expanded + Level I Internet	Not Offered
Digital Basic + Level I Internet	Not Offered
Encore + Level I Internet	Not Offered
Stellar + Level I Internet	Not Offered
Stellar 2 + Level I Internet	Not Offered
Stellar 3 + Level I Internet	Not Offered
Stellar 4 + Level I Internet	Not Offered
Stellar Galaxy + Level I Internet	Not Offered
Star + Level I Internet	Not Offered
Star 2 + Level I Internet	Not Offered
Star 3 + Level I Internet	Not Offered
Star 4 + Level I Internet	Not Offered
Star Galaxy + Level I Internet	Not Offered
Super Nova + Level I Internet	Not Offered

Appendix - CityNet	FY2022-23
Super Nova II + Level I Internet	Not Offered
Super Nova III + Level I Internet	Not Offered
Galaxy + Level I Internet	Not Offered
Cable and Digital Phone Double Play Packages (Rates do not incl	ude taxes and fees.)
Limited + Phone	Not Offered
Expanded + Phone	Not Offered
Digital Basic + Phone	Not Offered
Encore + Phone	Not Offered
Stellar + Phone	Not Offered
Stellar 2 + Phone	Not Offered
Stellar 3 + Phone	Not Offered
Stellar 4 + Phone	Not Offered
Stellar Galaxy + Phone	Not Offered
Star + Phone	Not Offered
Star 2 + Phone	Not Offered
Star 3 + Phone	Not Offered
Star 4 + Phone	Not Offered

Not Offered

Not Offered

Not Offered

Not Offered

Not Offered

Star Galaxy + Phone

Super Nova + Phone

Super Nova II + Phone

Super Nova III + Phone

Galaxy + Phone

Appendix - CityNet FY2022-23

Triple Play Packages with Internet Level I (Rates do not include taxes and fees.)	
Limited Triple Play	Not Offered
Expanded Triple Play	Not Offered
Digital Basic Triple Play	Not Offered
Encore Triple Play	Not Offered
Stellar Triple Play	Not Offered
Stellar 2 Triple Play	Not Offered
Stellar 3 Triple Play	Not Offered
Stellar 4 Triple Play	Not Offered
Stellar Galaxy Triple Play	Not Offered
Star Triple Play	Not Offered
Star 2 Triple Play	Not Offered
Star 3 Triple Play	Not Offered
Star 4 Triple Play	Not Offered
Star Galaxy Triple Play	Not Offered
Super Nova Triple Play	Not Offered
Super Nova II Triple Play	Not Offered
Super Nova III Triple Play	Not Offered
Galaxy Triple Play	Not Offered

Appendix: Garbage Services

	Effective
	October 1, 202
Residential (1-3 units)	
Weekly Refuse and Recycling Services, including the green cart	
Toter - 20 gallon	\$25.22
Toter - 32 gallon	\$32.53
Toter - 64 gallon	\$65.06
Toter - 96 gallon	\$97.59
Low Income 32 gallon	\$24.40
Each additional 32 gallon	\$32.53
Additional 96 gallon green waste	\$9.84
Extra Bag Service per pick up (approximately 32	\$15.29
gal)	
Contaminated recycling penalty	\$30.58
Multi-Unit (4+ units)	
Weekly Refuse and Specialized Recycling Services	
Bins, Cans & Carts (4-99 units) – per unit	\$32.53
Bins (100+ units) – per unit	\$30.90
Bin Rental - 1 yard	\$40.92
Bin Rental - 2 yard	\$47.48
Saturday services will be charged at a rate of 1.5 times the regular weekday rate	
Debris Boxes (Includes delivery and pick up)	
4 yard mini - Per day	\$213.97
6 yard mini - Per day	\$270.29
7 yard debris - 1-5 business days	\$518.04
16 yard debris - 1-5 business days	\$574.30
20 yard debris - 1-5 business days	\$630.65
25 yard debris - 1-5 business days	\$788.26
25 yard debris - recyclables only	\$450.43
30 yard debris - 1-5 business days	\$914.39
Debris Box hold-overs – After 5th day	10% of rate per day
Compacted Garbage - per yard	\$64.16
Key/Lock Service	
1 per week	\$11.76
2 per week	\$23.52
3 per week	\$35.28
4 per week	\$47.04
5 per week	\$58.80
Saturday	\$17.64
Inside Pull-Out Service	
0-25 feet	\$10.28
Excess Disposal/Overflowing Container Penalty	
Per occurrence	\$16.71

Effective October 1, 2021

Special Disposal Services for Bulky Goods

Special disposal services of bulky goods shall be provided by Recology San Bruno at rates calculated by Recology depending upon size, weight and means of disposal of items. Recology San Bruno shall make available a list of standard rates for frequently disposed of bulky goods. Rates for special disposal services of bulky goods are subject to review and modification by the City Council

Commercial Regular Toter Services

Once weekly, Refuse and Specialized Recycling Services

32 gallon \$41.34
64 gallon \$82.65
96 gallon \$124
Saturday service will be charged at a rate of 1.5 times the regular weekday rate

Commercial Organics Toter Services

Once weekly, Refuse and Specialized Recycling Services

 32 gallon
 \$31.01

 64 gallon
 \$62.03

 96 gallon
 \$93.04

Saturday service will be charged at a rate of 1.5 times the regular weekday rate

Regular Commercial Container Services (Effective October 1, 2021)					
Pickup per week	1 yard	2 yard	3 yard	4 yard	6 yard
1 x per	\$173.50	\$346.87	\$483.36	\$595.17	\$818.88
2 x per	\$347.00	\$693.72	\$966.71	\$1,190.35	\$1,637.76
3 x per	\$520.51	\$1,040.60	\$1,450.06	\$1,785.50	\$2,456.62
4 x per	\$694.02	\$1,387.47	\$1,933.42	\$2,380.68	\$3,275.51
5 x per	\$867.50	\$1,734.34	\$2,416.77	\$2,975.85	\$4,094.38
Sat. pickups	\$260.26	\$520.29	\$725.02	\$892.75	\$1,228.31
Extra pickup	\$40.05	\$80.03	\$111.51	\$137.36	\$188.95
Bin Rental	\$40.92	\$47.48	\$51.80	\$55.58	\$59.67
ORGANICS Commercial Container Servic	es (Effective October 1, 2021)				
Pickup per week	1 yard	2 yard	3 yard	4 yard	6 yard
1 x per	\$130.11	\$260.13	\$362.53	\$446.39	\$614.16
2 x per	\$260.27	\$520.27	\$725.05	\$892.78	\$1,228.31
3 x per	\$390.40	\$780.39	\$1,087.57	\$1,339.17	\$1,842.45
4 x per	\$520.52	\$1,040.52	\$1,450.09	\$1,785.57	\$2,456.60
5 x per	\$650.64	\$1,300.67	\$1,812.61	\$2,231.99	\$3,070.76
Sat. pickups	\$195.19	\$390.22	\$543.78	\$669.59	\$921.23
Extra pickup	\$30.03	\$60.02	\$83.64	\$103.01	\$141.73
Bin Rental	\$30.67	\$35.61	\$38.85	\$41.68	\$44.77

Appendix

Appendix: Stormwater Services

Property Use	
Miscellaneous/Agriculture/Vacant/Condominium	
Minimum Per APN	\$23.08
\$ Per 1,000 Square Feet, Lot Size	\$2.0982
All Other	
Minimum Per APN	\$46.16
\$ Per 1,000 Square Feet, Lot Size	\$4.1964

Appendix: Wastewater Services

Effective September 1, 2021

Monthly Service Charge	
Single-Family Residential	\$32.27
All Other Accounts (Based on Water Meter Size)	
3/4 Inch Meter	\$32.27
1 Inch Meter	\$53.78
1 1/2 Inch Meter	\$107.57
2 Inch Meter	\$172.11
3 Inch Meter	\$322.70
4 Inch Meter and above	\$537.83
Quantity Charge	
Residential	
Rate Code R-1 - Each Unit of Water (100 cubic ft.)	\$12.37
Commercial	
Rate Code C-1	\$11.50
Rate Code C-2	\$12.37
Rate Code C-3	\$17.61
Rate Code C-4	\$22.86
Institutional and Government Facilities	
Rate Code G	\$12.37
Industrial	
Rate Code I-1	\$12.37
Rate Code I-2	
Rate per hundred cubic feet	\$8.88
Rate per pound of COD	\$0.68
Rate per pound of Suspended Solids	\$1.41
Capacity Charges	
Residential (Capacity charge per residential dwelling unit)	
Single-Family or Duplex	\$5,624
Multi-Family (3 or more dwelling units)	\$4,499
Non-Residential (Capacity charge based on water meter size)	
3/4 Inch Meter	\$5,624
1 Inch Meter	\$9,373
1 1/2 Inch Meter	\$18,747
2 Inch Meter	\$29,994
3 Inch Meter	\$56,240
4 Inch Meter	\$93,733
6 Inch Meter	\$187,465
8 Inch Meter	\$299,944

Appendix: Wastewater Services

Effective September 1, 2021

Service Charges

Office

Actual Cost of Staff

Time

Engineering Design and Service Location Security Deposit

\$50.00

New Account/Transfer Charge

\$40.00

Returned Check

City Fee

Field/Special Appointment

\$30.00

During regular Business hours

\$60.00

Tapping, Service Connection or Cross-Connection inspection,

Actual Cost of Staff Time

miscellaneous work

After Hour Service

and Materials

Fines and Penalties

Illegal Connection per occurrence \$750.00
Additional occurrence \$250.00

Residential Customers Billed Bi-Monthly

First Payment Delinquent After 21 Days

Second Payment Delinquent After 41 Days

-and

For All Others, Delinquent After 21 days

The greater of \$10.00

or

10% of unpaid current billing of unpaid billing balance

Appendix: Water Services

	Effective September 1, 2021
Monthly Service Charge	
Single-Family Residential	\$25.58
All Other Accounts (Based on Water Meter Size)	
3/4 Inch Meter	\$25.58
1 Inch Meter	\$42.63
1 1/2 Inch Meter	\$85.27
2 Inch Meter	\$136.43
3 Inch Meter	\$255.80
4 Inch Meter	\$426.33
6 Inch Meter	\$852.67
8 Inch Meter	\$1,364.27
10 Inch Meter	\$1,961.13
Fire Service Lines	
Fire Flow Capacity, Per Inch Diameter	\$10.00
Quantity Charge	
Single-Family Residential	
0-10 units per billing period (two-months)	\$9.01
11-20 units per billing period (two-months)	\$10.78
each unit in excess of 20 per billing period	\$14.33
All other accounts	\$10.11
Capacity Charge	
Residential (Capacity charge per residential dwelling unit)	
Single-Family or Duplex	\$6,440
Multi-Family (3 or more dwelling units)	\$4,186
Non-Residential (Capacity charge based on water meter size)	
3/4 Inch Meter	\$6,440
1 Inch Meter	\$10,723
1 1/2 Inch Meter	\$21,478
2 Inch Meter	\$34,359
3 Inch Meter	\$64,402
4 Inch Meter	\$107,326
6 Inch Meter	\$214,685
8 Inch Meter	\$343,490
Service Charges	
Office	
Engineering Design and Service Location	Actual Cost of Staff time
Security Deposit	\$25.00
New Account/Transfer Charge	\$10.00
Returned Check	City Fee
	- 7

Appendix: Water Services Effective September 1, 2021 Actual Cost of Staff time and

Special Permits (hydrants, irrigations, etc.)

materials

Field Turn-On/Turn-Off, New Service, Special and Final Meter Readings, and Special Appointments **During Regular Business Hours** \$30.00 After Hour Service \$60.00 Installation or Change of Meter Meter Set Size 3/4 Inch Meter 206.84 1 Inch Meter 259.14 1 1/2 Inch Meter 624.2 2 Inch Meter 2068.7

3 Inch Meter 2647.27 4 Inch Meter 2422.93 6 Inch Meter 8188.81 8 Inch Meter 14931.72 10 Inch Meter 26119.78

Automatic Meer Reader (AMR) transmitter, as

required by City 219.08 Labor **Actual Cost** Actual Cost Equipment Meter, Pipe, and other materials **Actual Cost**

Administrative Fee 15% of total installation cost

Construction Water Meter

Equals Cost of Meter which varies by Size Refundable Deposit Connect/Disconnect \$120.00

Actual Cost of Staff time and

Miscellaneous Work materials

Fines and Penalties

Unauthorized Water Use, Illegal Turn-Ons \$750.00 per per and Open Meter Bypass, Illegal Connection occurrence occurrence Additional occurrence \$250.00

For Residential Customers Billed Bi-Monthly: The greater of \$10.00

First Payment Delinquent After 21 Days Second Payment Delinquent After 41 Days 10% of unpaid current

-and-

billing balance plus 0.5% of For All Others, Delinquent After 21 Days unpaid prior billing balance, Turn-On/Turn-Off for Late Payments \$90.00 per occurrence

Appendix: Schedule of Taxes

Business License Tax

Generally applicable tax rate.

Every person having a fixed place of business transacting, engaging in, or carrying on a business in the city, except a business as to which the tax rate established by another section of this article is made specifically applicable, shall pay a business license tax based upon the annual gross receipts of such businesses as follows:

Gross Receipts	Annual Tax
Less than \$75,000	\$ 75.00
\$75,000 or more, but less	
than \$100,000	\$ 100.00
Over \$100,000	\$110.00, plus \$5.25 for each additional
	\$5,000 or fraction thereof up to \$500,000
Over \$500,000	\$530.00, plus \$4.00 for each additional \$5,000 or fraction thereof up to \$1,000,000
Over \$1,000,000	\$930.00, plus \$2.75 for each additional \$5,000 or fraction thereof up to \$5,000,000
Over \$5,000,000	\$3,130.00, plus \$1.65 for each additional \$5,000 or fraction thereof.

Central administrative offices, auxiliary units manufacturing.

Every person who, at a fixed place of business within the City, transacts, engages in, or carries on any central administrative office, auxiliary unit or manufacturing establishment shall pay an annual license tax based upon the area of the place of business occupied and the average number of persons employed, as follows:

Area of Place of Business	
Occupied	Annual tax
999 square feet or less	\$ 150.00
1,0002,499 square feet	250.00
2,5004,999 square feet	350.00
5,0009,999 square feet	550.00
10,000 square feet or more	850.00

Appendix - Business Tax

Number of Employees	Additional Annual Tax
1—10	\$7.50 per employee
11—25	\$75.00, plus \$5.00 for each employee in excess of 10
26—50	\$195.00, plus \$4.00 for each employee in excess of 25
51 or more	\$350.00, plus \$3.00 for each employee in excess of 50

Amusement concessions

Every person conducting any amusement concession, not in conjunction with a carnival or fair, shall pay a license tax for each concession and device as follows:

Type of concession	Quarterly tax
A. Merry-go-round, ferris wheel, dodgem, swing or other mechanical device for the carrying of passengers B. Ball and ring throwing games, spin-the-wheel, mechanical and electrical games, shooting gallery, keno, lotto, and similar games of chance	\$75.00 \$50.00
C. Sales of merchandise or foodstuff, not in connection with any game of chance	\$30.00

Apartment and rooming houses.

Every person conducting the business of apartment house or rooming house shall pay an annual license tax of \$50.00 base fee and \$1.00 for each room, based on a three room minimum.

Commercial property rental.

Every person conducting the business of commercial property rental shall pay an annual license tax of a \$50.00 base fee and \$10.00 for up to the first 1,000 square feet and \$10.00 for each additional 1,000 square feet of property available for commercial rental.

Bowling alleys and similar games

Every person conducting a public bowling alley, skee ball, bat ball, or other similar device, equipment or means of entertainment shall pay an annual license tax of \$40.00 for each alley.

Appendix - Business Tax

Boxing or wrestling exhibitions

Every person staging a boxing or wrestling exhibition shall pay a license tax of \$200.00 for each such exhibition.

Carnivals and circuses

Every person conducting any carnival, circus, menagerie, wild west show, rodeo, any other like or similar exhibition or amusement shall pay a license tax of \$300.00 for the first day, and \$75.00 for each additional day, payable in advance.

Gambling Clubs

Every person, corporation, partnership or other entity conducting the business of a gambling club shall pay a quarterly tax in advance, and due on January 1st, April 1st, July 1st and October 1st of each calendar year. Commencing January 1, 1995, the tax per quarter shall be calculated as follows:

Tables Permitted by	1995 Quarterly Tax	FY2021-22 Quarterly Tax
Gambling Club License	Per Table (Base)	per Table
Minimum 10	\$ 400	\$840
11 to 15	1,200	2,521
16 to 20	1,800	3,784
21 to 25	2,400	5,046
26 to 30	3,000	6,308
31 to 35	3,600	7,571
36 to 40	4,200	8,829
41 to 45	4,800	10,096
46 to 50	5,400	11,357
51 to 55	6,000	12,620
56 to 60	6,600	13,878

Beginning with the above schedule, the tax paid by gambling clubs shall automatically increase July 1st of each year, commencing July 1, 1995, by the greater of 2% or the average of the annual percentage increase in the All Urban Consumer Price Index for the San Francisco/ San Jose/Oakland area for the months ending February 28th (or 29th) and April 30th.

Electrical musical devices

No person shall operate or maintain or permit to be operated or maintained in any place of business or premises open to the public and occupied by or under the control of such person any electrical musical device without having first paid a yearly business license tax of \$25.00, applied for and received a license for each electrical musical device so operated and maintained.

Mechanical, electronic, and video amusement devices

No person shall operate, maintain, or permit to be operated or maintained in any place of business or premises open to the public or under his control any mechanical amusement device without having first paid the business license tax of \$30.00, applied for and received a license therefore.

Nonresident contractors and other businesses

Every person not having a fixed place of business in the city who:

A. Engages in the business of contracting within the city;

or

B. Engages in a business within the city not specifically licensed by another section of this article shall pay a license tax of \$75.00 per year.

Appendix - Business 1

Peddlers and solicitors

Every person who conducts the business of peddler or solicitor shall pay a business license tax of \$40.00 per day for the first day and \$10.00 per day thereafter.

Public dances -- Place of public dance

Every person conducting a public dance shall pay a business license tax of \$50.00. Every person operating a business in which public dancing is performed, conducted, allowed, carried on, or proposed to be performed, conducted, allowed, or carried on not less than three times or on three days within a period of six months shall pay a business license tax as follows:

- 1. If the dancing is accompanied by mechanized music, an annual tax of \$200.00 dollars;
- 2. If the dancing is accompanied by live or unmechanized music, an annual tax of \$450.00.

Shuffleboards

Every person engaged in the business of operating or maintaining and offering for use by patrons any shuffleboards or other game or amusement device other than a mechanical amusement device otherwise licensed, shall pay in advance an annual license tax of \$15.00 for each such game.

Temporary vendors

Every person conducting the business of temporary vendor shall pay an annual business license tax of \$40.00 for the first day and \$10.00 per day for each subsequent day.

Condominium projects

A business license tax is imposed solely for revenue purposes upon the development and construction of all condominium projects, in the sum of one thousand dollars per planned salable condominium unit. No tax shall be imposed upon the development and construction of a condominium unit for which a completed sale or transfer of interest to the purchaser or occupant has occurred.

Single-family residential structures

A single-family residential business license tax is imposed solely for revenue proposes upon the development and construction of all single-family residential structures in the sum of \$1,000.00 per planned salable unit.

Airport Parking Facility

Every person, corporation, partnership or other entity conducting the business of an airport parking facility shall pay a quarterly tax due as follows. Airport Parking Facility means any privately owned or operated facility with the purpose of providing, for any form of consideration, parking or storage for motor vehicles, motorcycles, or other similar means of conveyances for persons going to or from the San Francisco International Airport.

The airport parking facility tax shall be 8% of gross receipts. Said tax shall only be applicable to gross receipts generated by the parking or storage of vehicles, at the airport parking facility. Each operator of an airport parking facility shall, on or before the last day of the month following the close of each calendar quarter, make a return to the City of the total tax. At the time the return is filed, the full amount of the tax shall be remitted to the City. Upon a finding of public benefit, the City Council may, by ordinance, decrease the airport parking facility tax set forth above.

Appendix - Business Tax

Real Property Documentary Stamp (Property Transfer) Tax

The tax imposed is on each deed, instrument, or writing by which any lands, tenements, or other realty sold within the City shall be granted, assigned, transferred or otherwise conveyed to or vested in, the purchaser or purchasers, or any other person or persons, by his or their direction, when the consideration or value of the interest or property conveyed exceeds \$100.00.

The rate of such tax is \$0.275 for each five hundred dollars or fraction thereof.

Transient Occupancy Tax

For the privilege of occupancy in any hotel or motel, each transient is subject to and shall pay a tax in the amount of 14% of the rent charged by the operator.

Appendix 1: Schedule of Parking Penalty and Fine Forfeiture Schedule of Parking Penalty and Fine Forfeiture

The California Vehicle Code authorizes the City Council to establish local parking regulations and to set penalties for violations.

		Delinquent
Description	Fine	Fee
Drive Park Public Grounds	\$50.00	\$42.00
Bicycle on Sidewalk	\$50.00	\$42.00
Vending in Vista Area	\$50.00	\$42.00
Permit Parking	\$75.00	\$42.00
Parked in Fire Lane	\$100.00	\$42.00
Within an Intersection	\$100.00	\$42.00
Crosswalk	\$100.00	\$42.00
Between Zone and Curb	\$50.00	\$42.00
15 ft. of Firehouse	\$50.00	\$42.00
Blocking a Driveway	\$50.00	\$42.00
Parking on a Sidewalk	\$50.00	\$42.00
Near Excavation	\$50.00	\$42.00
Double Parking	\$100.00	\$42.00
Loading Zone	\$75.00	\$42.00
Parked in Tunnel	\$50.00	\$42.00
Parked on Bridge	\$50.00	\$42.00
Pkd Red Zone Accessible Curb Ramp	\$308.00	\$42.00
Parked Within 18-in of Curb	\$50.00	\$42.00
Within 18-in of Curb	\$50.00	\$42.00
Posted No Parking State Highway	\$75.00	\$42.00
Accessible Parking	\$338.00	\$42.00
Accessible Crosshatch	\$338.00	\$42.00
Accessible Space/Crosshatch	\$338.00	\$42.00
Crosshatch	\$338.00	\$42.00
Parked Within 15 ft of Hydrant	\$50.00	\$42.00
Unattended Running Vehicle	\$50.00	\$42.00
Stopped 7-1/2' of RIR Track	\$50.00	\$42.00
Obstruct Sidewalk access/Accessible Curb Ramp	\$338.00	\$42.00
Abandoned Vehicle	\$115.00	\$42.00
Rear Reflectors req. \$10/proof	\$50.00	\$42.00
Turn Signals req. \$10/proof	\$50.00	\$42.00
Mirrors Required req. \$10/proof	\$50.00	\$42.00
Windshield Required req. \$10/proof	\$50.00	\$42.00
No Gas Cap req. \$10/proof	\$50.00	\$42.00
Low Tire Tread req. \$10/proof	\$50.00	\$42.00
Mudguard Required req. \$10/proof	\$50.00	\$42.00
Unregistered Vehicle req. \$10/proof	\$63.00	\$42.00
Foreign Registration	\$50.00	\$42.00
Stolen Plates/Fail to Report	\$50.00	\$42.00

Appendix 1: Schedule of Parking Penalty and Fine Forfeiture Schedule of Parking Penalty and Fine Forfeiture (continued)

Delinquent Fee Description Fine Improper Use of Registration \$133.00 \$42.00 False Evidence of Registration \$133.00 \$42.00 Reg. Displayed Wrong Vehicle \$50.00 \$42.00 License Plate/wrong vehicle \$514.00 \$42.00 Use Motor Vehicle Human Habi Prohibited \$50.00 \$42.00 Display of Plates req. \$10/proof \$50.00 \$42.00 Position of Plates req. \$10/proof \$50.00 \$42.00 Impair Recognition of License Plate req. \$10/proof \$100.00 \$42.00 License Plate Cover - \$10/proof \$50.00 \$42.00 Improper Display-Plates reg. \$10/proof \$50.00 \$42.00 No Tabs req. \$10/proof \$50.00 \$42.00 Bus Zone / Red Zone / Sign \$50.00 \$42.00 No Parking / Curb Red \$50.00 \$42.00 Parking Median Strip \$50.00 \$42.00 No Parking Anytime/Red Zone \$50.00 \$42.00 Street Cleaning \$40.00 \$42.00 Fire Lane \$100.00 \$42.00 Loading Zone \$75.00 \$42.00 Yellow/Green/White Zone \$75.00 \$42.00 Accessible Parking Space \$100.00 \$42.00 Wheels not Curbed on Street \$50.00 \$42.00 Wheels not Curbed off Street \$50.00 \$42.00 Parked Over 72 Hours \$100.00 \$42.00 Vehicle Parking Disposal for Sale \$50.00 \$42.00 \$42.00 Repair of Vehicle on Street \$75.00 Overtime Parking \$75.00 \$42.00 Parked Outside of Markings \$75.00 \$42.00 No Parking or Standing \$100.00 \$42.00 Parking on City Property \$50.00 \$42.00 **Designated Comm Route** \$100.00 \$42.00 Ex Wt Hire Adver. Out of Com RT \$110.00 \$42.00 Restricted Comm Parking Oversize \$42.00 \$100.00 Removal of Markings / chalk \$100.00 \$42.00 Parked on Front Lawn \$50.00 \$42.00 Abandoned Veh Private Prop \$128.00 \$42.00 Admin Cost to Remove Vehicle \$100.00 \$42.00 Taxi Zone \$50.00 \$42.00 Obstructing Flow of Traffic \$100.00 \$42.00 Within 15 ft of Fire Hydrant \$50.00 \$42.00 Red Zone \$100.00 \$42.00 Yellow Zone \$75.00 \$42.00 Parked After Hours \$50.00 \$42.00 No Pkg Signed Area \$100.00 \$42.00

Appendix 1: Schedule of Parking Penalty and Fine Forfeiture Schedule of Parking Penalty and Fine Forfeiture (continued) Fire Trail \$100.00 \$42.00 Equestrian or Hiking Trail \$50.00 \$42.00 Blocking Entrance/Exit Gate \$100.00 \$42.00 Lawn or Grassy Area \$50.00 \$42.00 Picnic Area \$50.00 \$42.00 Take up More Than One Space \$75.00 \$42.00 Administrative Fee \$0.00 \$0.00 Returned Check Fee \$25.00 \$0.00

Appendix 1: Police Department (continued)

	Delinquent
Fine	Fee
\$0.30	\$0.00
\$10.00	\$0.00
\$0.00	\$0.00
\$25.00	\$0.00
\$0.00	\$0.00
	\$0.30 \$10.00 \$0.00 \$25.00

Firearm Storage Fees

- 33875. (a) Notwithstanding any other law, no law enforcement agency or court shall be required to retain any firearm, ammunition feeding device, or ammunition for more than 180 days after the owner has been notified by the court or law enforcement agency that the property has been made available for return. An unclaimed firearm, ammunition feeding device, or ammunition may be disposed of after the 180-day period has expired.
- (b) This section shall become operative on July 1, 2020.
- 33880. (a) A city, county, or city and county, or a state agency may adopt a regulation, ordinance, or resolution imposing a charge equal to its administrative costs relating to the seizure, impounding, storage, or release of any firearm, ammunition feeding device, or ammunition.
- (b) The fee under subdivision (a) shall not exceed the actual costs incurred for the expenses directly related to taking possession of any firearm, ammunition feeding device, or ammunition, storing it, and surrendering possession of it to a licensed firearms dealer or to the owner.
- (c) The administrative costs described in subdivisions (a) and (b) may be waived by the local or state agency upon verifiable proof that the firearm, ammunition feeding device, or ammunition was reported stolen at the time it came into the custody or control of the law enforcement agency.
- (d) The following apply to any charges imposed for administrative costs pursuant to this section:
- (1) The charges shall only be imposed on the person claiming title to the firearm, ammunition feeding device, or ammunition.
- (2) Any charges shall be collected by the local or state authority only from the person claiming title to the firearm, ammunition feeding device, or ammunition.
- (3) The charges shall be in addition to any other charges authorized or imposed pursuant to this code.
- (4) A charge shall not be imposed for a hearing or appeal relating to the removal, impound, storage, or release of any firearm, ammunition feeding device, or ammunition, unless that hearing or appeal was requested in writing by the legal owner of the property. In addition, the charge may be imposed only upon the person requesting that hearing or appeal.
- (e) Costs for a hearing or appeal related to the release of any firearm, ammunition feeding device, or ammunition shall not be charged to the legal owner who redeems the property, unless the legal owner voluntarily requests the post storage hearing or appeal. A city, county, city and county, or state agency shall not require a legal owner to request a post storage hearing as a requirement for release of the firearm, ammunition feeding device, or ammunition to the legal owner.
- (f) This section shall become operative on July 1, 2020.
- (Repealed and added by Stats. 2018, Ch. 780, Sec. 22. (SB 746) Effective January 1, 2019. Section operative July 1, 2020, by its own provisions.)

Appendix 1: Schedule of Parking Penalty and Fine Forfeiture

Continued

Vehicle Storage Fees

- 21721. (a) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, may cause the removal and seizure of a pocket bike, upon the notice to appear for a violation of Section 21720. A pocket bike so seized shall be held for a minimum of 48 hours.
- (b) A violator of this section shall be responsible for all costs associated with the removal, seizure, and storage of the pocket bike.
- (c) A city, county, or city and county may adopt a regulation, ordinance, or resolution imposing charges equal to its administrative costs relating to the removal, seizure, and storage costs of a pocket bike. The charges shall not exceed the actual costs incurred for the expenses directly related to removing, seizing, and storing a pocket bike.
- (d) An agency shall release a seized pocket bike to the owner, violator, or the violator's agent after 48 hours, if all of the following conditions are met:
- (1) The violator or authorized agent's request is made during normal business hours.
- (2) The applicable removal, seizure, and storage costs have been paid by the owner, or any other responsible party.

(Added by Stats. 2005, Ch. 323, Sec. 4. Effective January 1, 2006.)

22850.5. (a) A city, county, or city and county, or a state agency may adopt a regulation, ordinance, or resolution establishing procedures for the release of properly impounded vehicles to the registered owner or the agent of the registered owner and for the imposition of a charge equal to its administrative costs relating to the removal, impound, storage, or release of the vehicles to the registered owner or to the agent of the registered owner. Those administrative

costs may be waived by the local or state authority upon verifiable proof that the vehicle was reported stolen at (b) The following apply to any charges imposed for administrative costs pursuant to subdivision (1) The charges shall only be imposed on the registered owner or the agents of that owner and shall not include any vehicle towed under an abatement program or sold at a lien sale pursuant to Sections 3068.1 to 3074, inclusive, of, and Section 22851 of, the Civil Code unless the sale is sufficient in amount to pay the lienholder's total charges and proper administrative costs.

- (2) Any charges shall be collected by the local or state authority only from the registered owner or an agent of the registered owner.
- (3) The charges shall be in addition to any other charges authorized or imposed pursuant to this code.
- (4) No charge may be imposed for any hearing or appeal relating to the removal, impound, storage, or release of a vehicle unless that hearing or appeal was requested in writing by the registered or legal owner of the vehicle or an agent of that registered or legal owner. In addition, the charge may be imposed only upon the person requesting that hearing or appeal.

No administrative costs authorized under subdivision (a) shall be charged to the legal owner who redeems the vehicle unless the legal owner voluntarily requests a post storage hearing. No city, county, city and county, or state agency shall require a legal owner or a legal owner's agent to request a post storage hearing as a requirement for release of the vehicle to the legal owner or the legal owner's agent. The impounding agency, or any person acting on behalf of the agency, shall not require the legal owner or the legal owner's agent to produce any documents other than those specified in paragraph (3) of subdivision (f) of Section 14602.6 or paragraph (3) of subdivision (e) of Section 14602.7. The impounding agency, or any person acting on behalf of the agency, shall not require any documents to be notarized. (Amended by Stats. 2015, Ch. 740, Sec. 17. (AB 281) Effective January 1, 2016.)

Department	Fully Burdened Hourly Rate
	FY2022-23
001: BUILDING INSPECTION	\$163.44
001: BUILDING INSPECTION	\$224.47
001: BUILDING INSPECTION	\$150.80
001: BUILDING INSPECTION	\$293.29
001: BUILDING INSPECTION	\$149.42
001: BUILDING INSPECTION	\$172.23
641: CABLE FUND	\$124.34
641: CABLE FUND	\$135.5
641: CABLE FUND	\$143.39
641: CABLE FUND	\$192.68
641: CABLE FUND	\$269.33
641: CABLE FUND	\$165.6
641: CABLE FUND	\$178.0
641: CABLE FUND	\$134.6
641: CABLE FUND	\$138.4
641: CABLE FUND	\$111.4
641: CABLE FUND	\$164.5
641: CABLE FUND	\$135.9
001: CITY CLERK	\$137.0
001: CITY CLERK	\$105.4
702: FACILITY MAINTENANCE FUND	\$106.74
702: FACILITY MAINTENANCE FUND	\$82.5
702: FACILITY MAINTENANCE FUND	\$90.8
702: FACILITY MAINTENANCE FUND	\$182.0
702: FACILITY MAINTENANCE FUND	\$135.9
702: FACILITY MAINTENANCE FUND	\$124.4
702: FACILITY MAINTENANCE FUND	\$102.9
702: FACILITY MAINTENANCE FUND	\$115.2
702: FACILITY MAINTENANCE FUND	\$220.6
001: FINANCE	\$125.40
001: FINANCE	\$161.1
001: FINANCE	\$114.4
001: FINANCE	\$223.9
001: FINANCE	\$163.50
001: FIRE	\$133.8
001: FIRE	\$248.3
001: FIRE	\$225.1
001: FIRE	\$287.2
001: FIRE	\$191.8
001: FIRE	\$170.5
701: CENTRAL GARAGE	\$238.5

701: CENTRAL GARAGE 701: LEGAL SERVICES 701: LEGAL SERVICES 701: LEGAL SERVICES 701: LIBRARY 701:	Department	Fully Burdened Hourly Rate
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001: PLANNING \$180.91 001: POLICE \$149.01 001: POLICE \$123.04 001: POLICE \$101.17 001: POLICE \$134.51 001: POLICE \$232.74 001: POLICE \$217.83 001: POLICE \$163.00 001: POLICE \$191.07	001: PLANNING	\$128.50
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001: POLICE	001: POLICE	\$191.07
5123.82	001: POLICE	\$123.82

Department	Fully Burdened Hourly Rate
001: POLICE	\$144.70
001: PUBLIC WORKS ADMIN.	\$178.53
001: PUBLIC WORKS ADMIN.	\$226.30
001: PUBLIC WORKS ADMIN.	\$157.08
001: PUBLIC WORKS ADMIN.	\$137.82
001: PUBLIC WORKS ADMIN.	\$151.31
001: PUBLIC WORKS ADMIN.	\$190.66
001: PUBLIC WORKS ADMIN.	\$279.68
001: RECREATION	\$100.89
001: RECREATION	\$247.57
001: RECREATION	\$172.30
001: RECREATION	\$120.40
001: RECREATION	\$118.86
001: REVENUE SERVICES	\$149.54
001: REVENUE SERVICES	\$112.10
001: REVENUE SERVICES	\$123.29
001: REVENUE SERVICES	\$196.96
001: REVENUE SERVICES	\$145.58
001: SENIOR CENTER MGT.	\$100.86
001: SENIOR CENTER MGT.	\$250.30
001: SENIOR CENTER MGT.	\$177.80
001: SENIOR CENTER MGT.	\$121.81
001: SENIOR CENTER MGT.	\$139.88
001: SENIOR NUTRITION	\$97.65
122: SOLID WASTE/RECYCLE	\$121.48
122: SOLID WASTE/RECYCLE	\$133.86
631: WASTEWATER FUND	\$185.70
621: STORMWATER FUND	\$191.82
631: WASTEWATER FUND	\$152.73
631: WASTEWATER FUND	\$152.83
621: STORMWATER FUND	\$116.29
621: STORMWATER FUND	\$117.85
621: STORMWATER FUND	\$160.26
621: STORMWATER FUND	\$241.64
621: STORMWATER FUND	\$94.19
621: STORMWATER FUND	\$109.14
001: STREETS	\$278.39
001: STREETS	\$172.50
001: STREETS	\$174.70
001: STREETS	\$232.76
001: STREETS	\$213.07
001: STREETS	\$346.47
001: STREETS	\$152.36
001: STREETS	\$145.16
001: STREETS	\$163.92

Department	Fully Burdened Hourly Rate
707: TECHNOLOGY DEVELOPMENT	\$147.93
707: TECHNOLOGY DEVELOPMENT	\$183.27
707: TECHNOLOGY DEVELOPMENT	\$212.31
631: WASTEWATER FUND	\$175.75
631: WASTEWATER FUND	\$141.31
631: WASTEWATER FUND	\$144.74
631: WASTEWATER FUND	\$178.21
631: WASTEWATER FUND	\$178.82
631: WASTEWATER FUND	\$297.15
631: WASTEWATER FUND	\$123.94
631: WASTEWATER FUND	\$131.31
631: WASTEWATER FUND	\$151.16
631: WASTEWATER FUND	\$133.79
611: WATER FUND	\$174.61
611: WATER FUND	\$224.83
611: WATER FUND	\$143.77
611: WATER FUND	\$143.86
611: WATER FUND	\$133.02
611: WATER FUND	\$147.57
611: WATER FUND	\$184.34
611: WATER FUND	\$147.20
611: WATER FUND	\$168.82
611: WATER FUND	\$279.70
611: WATER FUND	\$114.00
611: WATER FUND	\$128.55
611: WATER FUND	\$146.08
611: WATER FUND	\$125.95
611: WATER FUND	\$184.34
611: WATER FUND	\$146.44
001: FINANCE	\$16.45
001: LIBRARY	\$28.21
001: LIBRARY	\$23.17
001: RECREATION	\$26.13
001: RECREATION	\$20.67
001: RECREATION	\$26.24
001: RECREATION	\$19.87
001: RECREATION	\$21.07
001: POLICE	\$24.85
001: POLICE	\$52.04
001: POLICE	\$33.08
001: BUILDING INSPECTION	\$112.80
001: BUILDING INSPECTION	\$209.49